

PAKISTAN & CONSTITUENT ASSEMBLY

By
IFTIKHAR-UL-HAQ

With a Foreword

by

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PREFACE

This is not a brochure on the merits or demerits of the Pakistan scheme, but an exposition of the constitutional aspect of the complex problem facing India to-day. The Cabinet Mission's deliberations are before the public, but how far correct is their line of action? The answer to this question lies in understanding the demands of the Congress and the Muslim League. I have made an attempt to present the cases of both the sides.

Muslim India to-day has reached such a stage in its national struggle that there cannot be any compromise on the Pakistan issue. The right of self-determination does not call for any discussion as it is the very essence of liberty and equality of all nations. On this fundamental right is based the political ideology of the Mussalmans of India. The recognition of this fundamental right of a people makes it easier to understand the demand for two constitution-making bodies in India instead of one. If the British and the Hindus want to avert bloodshed on an unparalleled scale, they

will have to bow before reason. There are the long, black shadows of the civil war. And there will be a civil war—of a magnitude unknown in the Indian history, if the Congress did not reconsider its reckless policy.

I have suggested “a way out” in the last chapter and before arriving at a conclusion it was necessary to take stock of the previous approaches to solve the Indian political deadlock. I have therefore included a brief criticism of the Cripps proposals, C.R. formula and Wavell proposals in this book. They are milestones on the road which leads India to freedom and a careful study of these formulas in the light of recent developments would be a great aid in following correctly the various phases of political development.

It is now an article of faith with the Muslims that the solution of India's ills lies only in the convening of two Constituent Assemblies, one for Pakistan areas and the other for Hindustan. I therefore appeal to those who are really earnest to end the British rule, to study the subject with an open mind. Let an unprejudiced reading leave an impression upon your mind and decide the next

the case. Thus alone the liberty-loving persons will find a way out and it is to those lovers of peace, prosperity and freedom of India that I present this small book.

IFTIKHAR-UL-HAQ.

FOREWORD

The general elections have proved to the hilt that the idea of Pakistan has acquired such a tremendous hold on the Muslim mind that no attempt, however invidious such as that of the Congress masquerading as Ahrars, Khaksars, Momins, Muslim Majlis and others of their ilk, could avail to wean any appreciable mass of Muslims from fidelity to the only goal of their strivings, viz., Pakistan. We believe Pakistan to be inevitable and however long and arduous the struggle, Muslims are determined to pursue the aid, till it is achieved. Inshaallah!

Hindu opposition to the Pakistan is vociferous, but do not they realize that Pakistan is the most logical corollary of the philosophy of Shastras, which ordain absolute segregation of the twice-born, whatever it may mean, and those not so born? To such Hindus, those not of the Hindu fold, are beyond the pale of fair dealing. They are the true creators of Pakistan, who have been steadily driving the Mussalmans into it on all fronts of the secular existence. But bringing the language and script controversy into the

nearly two centuries after the advent of the British a Pakistan on the language front has cropped up where none existed before. The policy underlying Gandhi Vidya Mandir, and Wardha schemes of basic education is symptomatic of the self-same Hindu urge to undermine everything savouring of the Muslim culture.

By far the most formidable and unequal struggle against which the Muslims have to contend—with disastrous result to themselves—is that of the Hindu-Muslim economic front, with the monopoly of external and internal trade, banking and insurance as the Hindu citadel, and the enterprising company promoter and ubiquitous bania as its most stalwart protagonists. Profiting by the British-made laws, coupled with the time-honoured usage of buy Hindu, the Muslims have been beaten hip and thigh out of the economic arena by the Hindus. To-day the feeling prevails that the Muslims have not the remotest chance of retrieving their shattered condition through a system which is capitalistic to the core, except under a system—a veritable Pakistan—based on an equitable legislation for acquisition and distribution of wealth.

The Congress' present attitude as declared by its High Command can be summed up in the

words of Mr. M. H. Brailsford, a friend of the Congress, who opines: "That the Congress' conception of Hindu-Muslim union is limited to the barest essentials. It will be rather a Confederacy, than a Federation. It will deal with foreign policy, defence, customs, communications and currency. Everything else will be left to the autonomous units..... all that is asked of the Muslims in return is that they agree to join their Hindu neighbours in a common Constituent Assembly and a union for certain limited purposes, of which Defence and Foreign policy are the most important." Foreign policy, Defence, Customs, Currency, Communications limited purposes indeed! Is it not a fact that the inclusion of these very matters in the authority of the Allied Commission in Germany and that of General MacArthur in Japan has spelt the extinction of Germany and Japan as independent states? There can only be a treaty with respect to these matters and none is competent to enter into that treaty except the Sovereign states of Pakistan and Hindustan. Muslim League would refuse to acknowledge any Central authority or Central Board to govern these matters which are the life-blood of a state. Firstly, let the two independent and sovereign states of Pakistan and Hindustan come into existence and then

alone these matters can form the subject of discussion. To invite Mussalmans to participate in framing a single fundamental Law is to ask them to sign their own death-warrant. To force two separate and distinct nations to frame a Constitutional Law or Laws in a single Constitution-making body no honest statesman will advise. To-day the political atmosphere is contaminated with the feelings of uncertainty and horror. The convening of two Constituent Assemblies is the only antidote against this feeling of horror and uncertainty. India's constitutional deadlock cannot be solved, except on this basis. I quite agree with Mr. Iftikhar's contention that the demand of two Constitution-making bodies is not an expression of discovery, but the recognition of a time-honoured reality. No doubt it will result in the liquidation of British-made and British-maintained artificial unity of India, but then it will surely herald a new era of healthy and friendly human relations between the Hindus and the Muslims.

In "Pakistan and Constituent Assembly" my friend Mr. Iftikhar-ul-Haq has masterly surveyed the whole problem in an arresting style. He has framed and explained the issues in a clear-cut, comprehensive and logical manner. I

call it a Youth's tribute to the validity of Pakistan, and as such it has my warm praise and appreciation.

Abdullah Hussain Khan

THE PARTING OF WAYS

To-day India stands on the threshold of liberation if only the real leader of Hindu masses, Mahatma Gandhi, could face the grim realities of the Indian political situation. Under the existing circumstances only a blind person would deny that the Muslim League and the Congress are two powerful mass organisations, each fighting for the emancipation and liberty of the peoples of this sub-continent. The British Government, on various occasions has made it clear that it would hand over the reins of the Government of India to the peoples of India, as soon as the principal organised parties, viz, the Congress and the Muslim League, present an agreed constitution. Naturally they cannot and must not take the responsibility of drafting a constitution for free India. Lord Wavell's and the British Premier Mr. Attlee's recent speeches though harped on the old theme, yet show a definite desire on the part of the British Government to end the stalemate. They know

that the empire will have to be liquidated and it is honourable to voluntarily accede to this decree of fate. Well, everywhere prevails an anxiety for India's freedom, and still for a permanent solution of India's destiny no definite thing is forthcoming.

What is the malady? What irreconcilable differences create an unbridgeable gulf between the Hindus and the Muslims? What do the Congress and the League ask for? What is the remedy? Cannot the claims of these two most powerful peoples' organizations be reconciled, or a *via media* be found?

Here are the answers to these questions.

Apart from the lust for more power and even if the mala-fide intentions of the Congress be ignored, the Congress is still thinking in terms which are almost 50 years old. They refuse to face the realities of this ever-changing world. Mahatma Gandhi, in spite of knowing full well that he represents not a single Muslim man, still cherishes the hope of representing all the 400,000,000 inhabitants of the sub-continent. Congress refuse to admit the fundamental fact

of nature that States or Nations are not formed for materialistic ends, but for ideological reasons, and for upholding certain ideas and views of life, and this is the most serious malady from which the Congress is suffering. Human being is not an "economic man", but he lives for upholding certain principles of life, and if need be to die for those beliefs, and economics is just to serve those ends. No nation has ever grown, and no state has ever been formed on economic grounds, but for some higher and nobler needs. When they have been formed on these bases, they look around for means to fulfil their needs and create a machinery to satisfy their wants. Bread and butter do not comprise all the problems of man; instead it is a distinct ideology and outlook of life that makes a people a separate nation, and upon this feeling of national consciousness different states are formed. So, the basic difference from which further developments flow is that of two-nation theory. It is a very serious mistake to think that you can find a solution of the constitutional problems if you by-pass this fundamental point. Those who believe in such a position, I must say, have only a superficial knowledge of the complex problems

to be discussed in details for separation of India into Hindustan and Pakistan. Now the specific demands which have been put forward.

THE MUSLIM CASE

The All-India Muslim League, speaking on behalf of the 100 million Mussalmans, has simply said that in the north-western and eastern areas in which the Muslims are in majority, they should be allowed to run their own Government. This is what the Pakistan resolution adopted on March, 23, 1940 says :

"It is the considered view of this session of the All-India Muslim League that no constitutional plan would be workable in this country or acceptable to Muslims unless it is designed on the following basic principles, viz, that geographically contiguous units are demarcated into regions which should be so constituted that, with such territorial readjustments as may be necessary the areas in which the Muslims are numerically in majority as in the North Western and Eastern zones of India should be grouped to constitute "Independent State" in which the constituent units shall be autonomous and sovereign.

“That adequate, effective, and mandatory safeguards should be specifically provided in the constitution for minorities in these units, and in the regions for protection of their religious, cultural, economic, political, administrative and other rights and interests in consultation with them ; and in other parts of India, where Muslims are in a minority, adequate, effective and mandatory safeguards shall be specifically provided in the constitution for them and other minorities for the protection of their religious, cultural, economic, political, administrative and other rights and interests in consultation with them.”

To put it very briefly, we stand for a “Free Hindu India” and a “Free Muslim India.” Pakistan presupposes the freedom of whole of India—an India in which no nation could tyrannize another, and where both Hindus and Muslims would be free to develop their own culture and civilization according to their own aptitude and genius.

Friendly and neighbourly relations would take the place of mutual distrust and treaty stipulations of two powerful states would replace the vague and suspicious promises of either

nation. Mussalman passionately requests his Hindu brother to keep his three-fourths and give him his one-fourth, where he could manage his own house as a matter of right. Or, as Nawabzada Liaquat Ali put it: "We are not reclaiming our lost kingdom in India, built by the Muslim rulers, but are demanding only one-fourth of that part of the land, which can rightly be called as our National Home. Our demand is just, and we shall have it at any cost." Pakistan is based upon fundamental human rights, and when the Mussalmans claim it, they do not beg for charity, but ask for the recognition of their own birth-right of self-determination."

Mussalmans have refused to accept any Central Government, Federation, Confederation and the like based upon United India, which ultimately will be governed by a perennial Hindu majority. No honourable nation would accept the position of a subordinate, or obey the dictates of any other nation, and naturally the Mussalmans should also be the complete masters of their Free National Homelands or Palatates, controlling its external and internal policy, just as they would let the Hindus do in Hindustan.

This was made unmistakably clear by Mr. Jinnah at the Madras session of the All-India Muslim League, when he declared, "We want the establishment of completely independent states in the North-West and Eastern zones of India with full control finally of defence, foreign affairs, communications, customs, currency, exchange, etc. We do not want in any circumstance a constitution of an All-India character with one Government at the centre. We will never agree to that. If we once agree to that, let me tell you, the Mussalmans will be completely wiped out of existence. We shall never be tributaries of any Government at the centre so far as the North-West and Eastern zones of our free national homelands are concerned."

Thus Pakistan is to be a completely independent sovereign state. But Mr. Gandhi gives it the frightful name of "vivisection", and calls it a sin, for which you are liable to be condemned in this world and the world hereafter! He does not stop at this, but threatens the Mussalmans with the prospects of a bloody civil war, for he says, that "if it means utterly independent sovereignty so that there is nothing in common between the two, I hold it is an

impossible proposition. That means war to the knife."

But the cool and balanced head of Qaid-e-Azam is not disturbed by such provocative utterances, and here is his characteristic answer to it:

"The demand of Pakistan is not because Hindus are vicious, or Muslims are vicious, but it should be admitted that there are fundamental and basic differences between the two peoples." Again, exhorting the Hindus, that the establishment of independent states of Hindustan and Pakistan was the only practical and feasible solution of Indian communal problem, he said: "Let us, therefore, live as good neighbours; let the Hindus guard the South and Western India and let the Muslims guard the North-Western and Eastern frontiers. We will then stand together and say to the world: Hands off India. India for the Indians."

Let those who worry about the defence of India, in case the Pakistan is established, ponder if there can be a better guarantee for the safety of the two neighbouring states and a more dignified and sure venture of friendship than this

Mr. Jinnah in so many of his speeches and the Muslim League in a number of resolutions have affirmed times out of number that Pakistan is the surest way to unity and peace, and would bring freedom both to Hindus and Muslims. Here is another extract from the Muslim League Working Committee resolution passed in August, 1942:

“The Working Committee is fully convinced that Pakistan is the only solution of India’s constitutional problem, and is in complete consonance with justice and fairplay to the two great nations—Muslims and Hindus—inhabiting this vast sub-continent; whereas if the Congress demand is accepted, it would bring the 100 million Mussalmans under the yoke of a Hindu Raj, which must inevitably result either in anarchy and chaos or complete strangulation and annihilation of Muslim India and all that Islam stands for. The Muslim League, as has been repeatedly made clear, stands not only for Pakistan and the freedom of Muslims, but also for the freedom and independence of Hindustan and the Hindus.”

Along with this the Muslim League demanded of the British Government to accept

the inherent right of the Muslim nation to self-determination and establish Pakistan in conformance with the basic principles laid down in the Pakistan resolution.

After the adoption of Pakistan as the creed and policy of the Muslim League, the Muslims of all shades and opinions throughout India have gathered in an amazingly short period of six years under the banner of the League. Six years back Pakistan was a resolution, now it is an article of faith and a matter of life and death with Muslim India. In Pakistan lies their defence, deliverance and destiny. They are determined that either they achieve it or they perish. Can this surging tide of 100 million living souls be swept back? No sane person would try it; it is obviously a futile attempt.

THE CONGRESS SNARE

Now, let us turn towards the Congress. Here one faces rather difficult problems, since unlike the Muslim League which has kept its position and principles unchanged at all times, the Congress policy has been most variable. The Congress always adopted its policy according to the strength of the other parties and its own

took the utmost advantage of its adversary's weakness. The Lucknow Pact of 1916 was certainly a recognition of two separate entities, one Hindus' and the other Muslims' in India, but after the Khilafat movement, when Mahatma Gandhi had totally shattered the Muslim solidarity and strength and also annihilated their separate existence, the Congress claimed to have merged the Muslims in its fold, and later on in spite of huge protests Pandit Jawahar Lal boastfully said, that in India only two parties were present—the Congress and the British. Muslims were to be seen nowhere in the picture. Thank God, again the tables have been reversed and this time the Mussalmans are determined and strongest in their history of over two hundred years. The Congress instead of talking in plain words covers its object and intentions in vague and ambiguous phrases. The Congress claim as embodied in the 8th August, 1942 resolution of the A. I. C. C. and other pronouncements is the formation of a Constituent Assembly to draft the constitution of a Free India, the members of which are to be elected on the basis of adult franchise of all the inhabitants of India, and above all it is to be based upon the conception of a United India and one

Indian nation. In this resolution the Congress demanded an interim national Government of Indian Union which was to evolve a scheme for a Constituent Assembly, which will prepare a constitution for free India.

Now, before answering the last question whether the demands of these two organizations can be reconciled, or a *via media* be found out, it is essential to examine the idea of Congress's Constituent Assembly rather exhaustively. The "Constituent Assembly" has almost become the war-cry of the Congress, but for Muslims there are poisonous and deadly arrows in the quiver of Constituent Assembly. At the same time no liberty expressing, freedom loving, and constitutional phrase has been so badly misapplied and abused, as the "Constituent Assembly."

In Indian politics, the germs of the Constituent Assembly began to appear visibly when, in 1928, Mr. M. N. Roy suggested that the agitation against the Simon Commission should be developed with the slogan of Constituent Assembly, but it was only in 1934, that the Parliamentary wing of the Congress, i.e., Swaraj Party adopted a resolution which read, "This conference claims for India in common with other nations, the

right of self-determination and is of the opinion that the only method of applying this principle is to convene a Constituent Assembly represented by all the sections of the Indian people to frame an acceptable constitution. "Later on, the Congress in its election manifesto published on July 29, 1934, maintained that the alternative to the British Raj is a Constituent Assembly. In the meanwhile Pandit Jawahar Lal Nehru propagated this idea vigorously and constantly, till on December 28, 1936, the Faizpur Congress by a resolution officially accepted this idea as their creed. To understand the Congress psychology let me quote this resolution in detail. It runs a thus :

"The Congress reiterates its entire rejection of the Government of India Act, 1935, and the constitution that has been imposed on India against the declared will of the people of the country. In the opinion of the Congress any co-operation with this constitution is a betrayal of India's struggle for freedom and strengthening the hold of British Imperialism and a further exploitation of the Indian masses, who have already been reduced to the direct poverty under Imperialist domination. The

Congress therefore repeats its resolve not to submit to this constitution, or to co-operate with it, but to combat it, both inside and outside the Legislatures, so as to end it. The Congress does not and will not recognize the right of any external power or authority to dictate the political and economic structure of India, and every such attempt will be met by organized and uncompromising opposition of the Indian people. The Indian people can only recognize a constitutional structure which has been framed by them and which is based on the independence of India as a nation, and which allows them full scope for development according to their needs and desires.

the stability of mind and real intentions of the Congress High Command. The public memory has not yet forgotten how the Congress accepted the office after that notorious "gentlemen's agreement." So, they fully co-operated with the first part of the Government of India Act, 1935, after assuring themselves that without any interference they would be able to trample over the Muslim rights, and still that did not amount to "betrayal of India's struggle for freedom." There is not a grain of doubt left that they would have accepted the Federation part as well, but alas, the hand of justice and truth was too powerful for them. The right wing of the Congress wanted a compromise on the Federation issue, but cruel are sometimes the ways of fate, Subhas sabotaged them and negotiations could not proceed smoothly. Subhas had to pay the penalty ultimately, and for the first time in the history of the Congress, its President was expelled from the organization for exposing Gandhian tactics. When under the aegis of British bayonets all seemed ready for the establishment of Ram Raj in this land of mahatmas and rishies, how could these 'custodians of India's freedom' could be expected to act with imagination and statesmanship? To know the Hindu mind and

the length to which Hindu leadership was and is prepared to go, if the Muslims could be kept under their subjugation, one has only to read the statements issued by the Congress and Mahasabha leaders every off and on. But the mask from the face of hypocrisy and cant was lifted when Mr. Gandhi advising unconditional support to the war effort, in *Harizan* of 21st October, 1939, let the cat out of bag by writing :

"Consider for one moment what can happen if the English were to withdraw all of a sudden, and there was no foreign usurper to rule. It may be said that the Punjabis, be they Muslims, Sikhs, or others, will overrun India. It is highly likely that the Gurkhas will throw in their lot with the Punjabis. Assume further that non-Punjab Muslims will make common cause with the Punjabis, where will the Congressmen, composed chiefly of Hindus be? That if anybody has cause to keep the British rule for protection from the stronger elements it is the Congressmen and those Hindus and others who are represented by the Congress."

Behold! this is what the author of "Quit India" had in his heart of hearts. This unmasks the Congress intentions and will enable

Jawahar Lal while dealing with the Constituent Assembly problem had the temerity to say, "The Muslim League and other protestants oppose the idea, because they do not want real independence and they have no conception of a new state, or if they can conceive of it, they dislike it."

Leaving the reader to judge for himself, unbiased and unprejudiced, who is the real culprit for retarding India's battle of freedom, let me take up the thread of the Constituent Assembly.

When the Congress accepted the Ministries, in all the Provincial Legislatures where the Hindus were in majority, resolutions were passed to the effect that the present constitution should be repealed and replaced by a constitution for a free India, framed by a Constituent Assembly elected on the basis of adult franchise. It may be noted that in no Muslim majority province could a resolution of the above kind be passed.

With the outbreak of war in Europe, all the Congress ministries resigned and the Congress Working Committee in a lengthy resolution demanded: "The Indian people must have right

of self-determination by framing their own constitution through a Constituent Assembly, without external interference."

All these series of resolutions and statements were finally crystallised in the 8th August resolution, better known as "Quit India" resolution, as a result of which the Congress was outlawed. Mr. Jinnah realising full well its implications and the vociferous propaganda of the Hindu press declared in unequivocal terms that they would be the last persons to wish the British stay in India and advised the only honourable course of "Divide and Quit."

This is a very brief background of the Congress demand. Comparing it with the Muslim League's proclamation of the destiny of the 100 million Mussalmans, the conflict of the Congress and the League may be described as

PAKISTAN versus CONSTITUENT
ASSEMBLY.

THE CONSTITUENT ASSEMBLY

Constituent Assembly may be said to be a body convened to draft the constitution of a country. Thus its characteristic feature is to lay down the legal foundations of a new state. It may be the result of either of the two circumstances. Firstly, there may be a popular upheaval in a country, which is under foreign subjection, and as a result of successful armed revolt throw off the foreign yoke. Thus a new body of people assert themselves free to decide their external and internal affairs as happened in the case of the United States of America. The colonies denied the right of the British Parliament to levy taxes upon them. British Government would not accede to it, therefore they raised the slogan of "No taxation" and finally repudiated every vestige of British authority and in 1776 at Philadelphia, the Congress resolved "to establish such Government as shall in the opinion of representatives of the people best conduce to the happiness and safety of these colonies."

particular and America in general." After this the body of representatives proceeded to frame the constitution. Secondly, the constituent Assembly may be the outcome of an existing political power, which is willing to surrender its authority and agrees not to exert any influence or interfere in their deliberations to chalk out the constitution for the political, economic and social welfare of their people. Here the existence of a superior authority is recognised, but it is promised by that power to withdraw in favour of a duly elected body of the people. The commonest examples of such form may be found in the British Dominions, which framed their own Laws and Constitutions and British Parliament only formally accepted them. The heroic Irish people built their great national organisation Sinn Fein, as a strong weapon of their struggle against the British Imperialism. Here is the Article No. 4 of its Constitution adopted in 1915, to which the Sinn Fein pledged itself :

"Whereas no law made without the authority and consent of the Irish people is or ever can be binding upon their conscience:

"Therefore in accordance with the resolution of the Sinn Fein adopted in

Convention 1935, a constituent Assembly shall be convoked comprising persons chosen by the Irish Constituencies as the supreme national authority to speak and act in the name of the Irish people, and to devise and formulate measures for the welfare of the people of the whole Ireland."

Ireland won and the British Government was forced to acknowledge their right of self-determination.

self is synonymous with its constituent power, manifested through its constituent Assembly. "This constitutional power," said Reymond Poincare, "is the beginning and end, and the very essence of sovereignty. A people which cannot thus organise itself is a people enslaved."

Thus a Constituent Assembly denies in the first place the 'locus standi' of the established state, and declares the people's will to lay down the economic, political, social and religious structure of their national life, through their own elected representatives.

APPLICATION IN INDIA

The brief historical background of the idea of a Constituent Assembly has been given, so that the reader may clearly understand what constituent Assembly is in its true form and that the Muslims can have no objection to the Constituent Assembly if it is constituted in true and proper form. In fact it is the true expression of their democratic nature. But let there be no mistake about it that the earth exists for the benefit of the Human race and not the *vice versa*. Therefore Constituent Assembly is to be based upon nationhood and not on artificially

created boundaries of a sub-continent. Also, sometimes details are of greater importance than the fundamentals laid down, and hence the conditions prevailing in the land, political consciousness among the masses, conflicting national interests, etc. are of vital importance.

But, let us for the moment, enumerate the essential prerequisites for a Constituent Assembly :—

- (a) Sufficient political consciousness in the masses. This would necessarily include the standard of literacy in the country.
- (b) General desire and determination, with power to throw off the existing state machinery.
- (c) A common goal or desire for the people in one country.
- (d) Lastly and the most important, a corollary from (c), the presence of one nation to exercise the fundamental human right

It is quite clear from the various resolutions of the Congress and utterance of its leaders that the Congress leaders urge the convening of the Constituent Assembly with two main basic ideas at the back of their minds, *viz.*, the unity of India as one country, and secondly assuming all the peoples of India as one nation. Both these points which are fundamental have been challenged times out of number and it is persistence upon them which blinds the Congress towards the welfare and destiny of this unhappy sub-continent. As these points are of fundamental importance, these may be discussed after less important items have been dealt with.

Wherever the Congress has declared itself for Constituent Assembly, it has inevitably laid down that such an assembly is to be elected on the basis of adult or near franchise. The Congress absolutely ignores the fact that vast majority of the voters as such, would be illiterate and ignorant, who would vote for one side or the other, as the amount of influence is exerted upon them. Who, in such circumstances, will not be led to the conclusion that the decision of such an assembly would be a farce, or a tyranny of numbers. There are three stages of a consti-

tuent assembly, firstly, the elections, secondly, deliberations and thirdly the final outcome.

THREE STAGES

Now, at the election time all sorts of manoeuvres, election stunts, and emotional slogans would certainly not leave the masses in an impartial state of mind. Poor, ignorant, uneducated masses would stand dumb and confused and puzzled. And before the "election campaign will itself be a sufficient education for the purpose of broadly knowing the popular will," as Mahatma Gandhi asserts, the people would have cut their hands by electing their representatives before mature deliberation. Mr. Jinnah elucidated this point on 4th December, 1939, when in a statement in the *New Chronicle* he said, "Mr. Gandhi is neither concerned with the size of the country, nor the illiteracy of the masses. A truly representative assembly presupposes that in order faithfully to express the judgment of the people it can only be constituted if you have a fully developed public opinion, an electorate educated and experienced free from superstition and capable of judging the vital political issues affecting the

country, and not as India stands today, composed of castes, creeds, superstitions, provincial jealousies, quite apart from the main division of British India and Indian States. The assembly proposed by Mr. Gandhi would at best, therefore, be a packed body manœuvred and managed by the Congress caucus."

Next consider this constituent assembly in which, let us take for granted, the Muslim seats are reserved in proportion to their population. Every one can see as the Congress intentions were, that, by joint electorate, hardly a true Muslim representative can find a seat in it.

But the Congress possibly grants the "boon" of separate electorates for this assembly, with the proviso that the final communal question would be settled in the assembly. Let me revert to the Congress proclamations on this issue. I have previously cited the Swaraj Party's resolution adopted in 1934. It further said, "This conference is of the opinion that the consideration of acceptance or rejection of the Communal Award is premature at this stage. The time for considering the same will arrive

when a Constituent Assembly is convened." Later on Pandit Jawahar Lal Nehru elucidating the idea of the Constituent Assembly declared:

"This Assembly would also deal with the Communal problem, and I have suggested that in order to remove all suspicion from the minds of a minority, it may even, if it so chooses, have its representatives elected by separate electorates. These separate electorates would only be for the Constituent Assembly. The future method of election as well as all other matters connected with the Constitution would be settled by the Assembly itself."

Also the Pandit hoped, and he had the means to put this hope into practice that "with the Constituent Assembly economic problems would occupy the attention instead of communal problems, which would fade into background."

Here is the Congress saying in an independence war: let the Muslims enter this house of Constituent Assembly and then we would know how to deal with them. In such an Assembly for every Muslim vote there would be three Hindu votes and the demand for votes for show of hands. Would not the Congress feel

it by nose and we have sufficient experience to know the Hindu Congress designs. Without exaggeration it would be an enlarged edition of the A. I. C. C. Hindus would be determined and in a safe position to ride roughshod over the legitimate Muslim rights and aspirations. No assurances, no guarantees, no final arbitration schemes can be of any use under such circumstances when the Muslims themselves would have no separate entity and no powerful machinery to enforce their demands. Even an impartial observer could see the game through. As early as November, 29, 1939, Mr. Pothan Joseph discussed it fully in an article published in the *Statesman*, "A Catch Phrase in Politics—Constituent Assembly." This was the time when he was not the editor of "Dawn," but editor of the official Congress paper "Hindustan Times." He suggested two alternatives; firstly, "a bargaining conference, where numbers do not determine political strength; and, secondly, "a concordant of parties is the next best way at an assembly of the differing groups that now exist, a conference of prominent political leaders without any million-wide voting by the adults of India." The reasoning, he gave for these two suggestions is worth serious consideration and let me quote

him in extenso :—

“ A Constituent Assembly is generally called by a revolutionary organisation at a time of triumphant upheaval. It is summoned on the promise that there is no superior authority to re-examine a division or to veto it, since sovereignty has been wrested. If Britain recognises the right of a Constituent Assembly in India she renounces her claim to have her say in the matter. What is decided upon in the Constituent Assembly shall be accepted as the foundational law.

the next stage to be reached.

Western design would be to have territorial representation at the Conference presupposed as necessary, but territorial patriotism in India is overwhelmed by

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at the conference table

There lies no appeal against its decisions. No superior authority is there to exercise veto power, and you cannot reject its proposals. There is no way out, but to submit humbly before its dictates. In short, the constitution drafted by it becomes the organic Law of the land, and those who protest against it would be damned as rebels and traitors. If there was any doubt left about it, it was cleared by Mr. C. Rajgopalacharia, when speaking about the proposed Constituent Assembly he asserted: "If an electorate duly representing all the peoples of India approve of the draft constitution, no self-constituted representatives can thereafter have the right to make counter proposals and keep the issue alive."

It does not require a great politician to imagine the consequences that would flow after the Constitutional Law adopted by such an assembly is promulgated; even an ordinary citizen having ordinary commonsense can well visualise them.

What can the Muslims expect, then, from such a Constitution-making body? Nothing, except total annihilation of their national existence.

nation—"a nation of hundred million strong and what is more a nation with their own distinctive culture and civilisation, language and literature, art and architecture, names and nomenclature, sense of value and proportion, legal laws and moral codes, customs and calendar, history and traditions, aptitudes and ambitions. In short, we have our own distinctive outlook on life and of life." With the presence of so many attributes of nationality, one cannot look without suspicion on the *bona fides* of those who still want to force Hindus and Muslims into one web of nationhood.

There are two major nations in India, Hindus and Muslims. Every Hindu and every Mussalman knows it and realises the difference between the two. Both of them feel strangers towards each other. Each considers the other as an alien to his own nationality. For them, their goals and spheres of life are distinctly separate from each other. India's case is a problem of two rival ideologies. If a Muslim is prepared to lay down his life for the glory of Islam in India, a Hindu would feel his religious duty to oppose it, or raise the banner of "Cow Protection." Thus they have a distinct and

separate past and they visualise a future destiny of their own. There is a feeling of affinity with one group and of being apart and distinct from another. It is this realisation of truth and real state of affairs, which guides the policy of the All-India Muslim League. Speaking at the Madras Session in 1941, Qaid-e-Azam said, "The ideology of the Muslim League is based upon the fundamental principle that Muslim India is an independent nationality."

Now, let us proceed with the assumption, (which in reality is a fact as true as night distinguished from day) that Hindus and Muslims are two major nations inhabiting this enslaved land. Fortunately, the Muslims are in **majority** in North-Western and Eastern zones of **India**. Both the nations are well-organised having a burning fire of freedom in their hearts. They have their own programmes and ideologies of life in which they differ on fundamental principles.

THE SOLUTION

What	that we reach?
Let both	right of self-
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to manage its homeland and draft the constitution best suited to its needs and desires. It becomes undisputedly plain that a central Government is foreign to the genius and requirements of the Indian peoples. Such Government would be a graft, an imposition and such an artificial arrangement can never lead to an organic growth. Thus one Constituent Assembly for the whole of India is a snare and a farce to keep the great Muslim nation under the Hindu thumb. The only natural course left is, that, for a free and independent India, there will have to be convened two Constituent Assemblies: one for Hindu India and the other for Muslim India. That is what the Muslim League strives for and this is the only path where wisdom of years and current of events lead us to. Muslims are not opposed to Constituent Assembly, but let the Hindus not poison this drug. Of course, it will be a natural corollary to India's freedom. The position was clearly set forth by the Working Committee of the All-India Muslim League in its resolution of August, 1942, which stated *inter alia* :

“The Muslm League calls upon the British Government to come forward without further

delay with an unequivocal declaration guaranteeing to the Muslims the right of self-determination, and to pledge themselves that they would abide by the verdict of Mussalmans and give effect to the Pakistan scheme in consonance with the basic principles laid down by the Lahore resolution of the All-India Muslim League passed in March, 1940."

We leave it to the judgment of the world, if there can be any other course except to allow the two nations to decide their fate themselves.

IRE ANALOGY

Let me here take the case of Ireland where the different conflicting elements failed to unite and to use Lord Wavell's phrase, "Ireland has a sort of Pakistan." The Northern Ireland acted most sagaciously when, unlike the Indian National Congress, they did not insist upon the rigid unity, although they had much better claims and justifications for doing so. Sir James O' Connore in his book "History of Ireland" quotes an account given by a special correspondent of the *Manchester Guardian*, as to why Irish people could not unite and why Ireland has a sort of Pakistan :—

“In Ulster you have two communities facing each other, inter-marriage is virtually prohibited, the children are educated in separate schools, and, what is worse, there are few homes in which they are not brought up to despise and distrust the ‘Papist’ or the ‘heretic’. The Protestant community has a marked, but not overwhelming, superiority in wealth and position. It comprises the great majority of industrialists, the large merchants, the professional men, the strong farmers, and the skilled artisans. It has the traditions, the defects, and the virtues of an ascendancy. It looks across the channel for support to the Protestantism of England. It is but slightly weakened by divisions into sub-sects, Episcopalian, Presbyterian, and Methodist, with which we need not trouble ourselves further here. The Catholic community has little wealth or position, but it is growing in numbers. It consists mostly of unskilled or semi-skilled wage-earners; small farmers in mountainous or swampy tracts, the agricultural produce-dealers and the publicans. It can look for support to the rest of Ireland, where its brethren are in majority. It is united, it is used to being beaten and renewing the struggle, draining fresh strength from the earth after every fall.”

The above description can be truly applied to India. Substitute for Protestant community the Hindus, Muslims for Catholics and India for Ireland; also remember that ideological, social, religious, moral and political differences are much more acute in India than they ever could be among the Catholics and Protestants, who are after all two communities of one nation, and the Indian picture is truly depicted. But in India, there are not two communities who are struggling with each other, one to enslave the other after the British withdrawal and the other to assert her own right to independence and liberty; but two nations, which are fully self-conscious. That is why the Muslims can never accept as a matter of fundamental principle and national policy to join a Constituent Assembly based upon one nation and a geographically united India, which is only a myth.

Thus two-nation theory is the pivot, round which the Indian politics revolve. Let us briefly, but critically, examine this point upon which the future destiny of India depends.

TWO NATIONS

"I find no parallel in history for a body of converts and their descendants claiming to be a nation apart from the parent stock. If India was one before the advent of Islam, it must remain one in spite of the change of faith of a very large body of her children. You do not claim to be a separate nation by right of conquest but by reason of acceptance of Islam. Will the two nations become one if the whole of India accepted Islam? Will Bengalis, Oriyas, Andhras, Tamilians etc. cease to have their characteristics if all of them became converts to Islam? These have all become one politically, because they are subject to one foreign control."

Thus Mr. Gandhi gave vent to his feelings in the Gandhi-Jinnah correspondence, and Qaid-e-Azam's previously quoted rejoinder is the most comprehensive and befitting reply to it. Here is another extract from a speech delivered by Qaid-e-Azam at Shillong on March 4, 1946:—

"We have our own laws, our own culture and language; we have our own

-calendar, names, social life, architecture and music ; in short, the entire social and economic structure of our society is different from that of Hindus. We find that Hindus have their own structure of society which is different from ours. It is not only different, but in some cases it is antagonistic. I do not blame them. It is their philosophy and culture. The Hindu believes in idolatry ; we do not. We believe in equality, liberty, and fraternity while they are caste-ridden and caste-bound. How is it possible for us merely to be one in a ballot-box ? The ballot-box will carry us nowhere."

In this small paragraph Qaid-e-Azam has counted almost all the attributes of a nationality and it is a pity that Mr. Gandhi knowing full well that Hindus and Muslims differ in almost all these essential attributes of a nationality, should still be so adamant as to regard them as one nation. Nowhere in the history of the world you would find an example of two or more nations under common political subjugation losing their separate nationhood under stress of time. They might join hands to throw off the foreign yoke, but they would remain separate nations all the same. Did the Polish,

Czechs, Bulgarians and a host of other nations of Europe lose their nationhood, when all of them were under the Nazi yoke and they all acting as United Nations were trying in a combined struggle to defeat the common aggressor—Hitlerite Germany? Did the Czechs, the Hungarians and the Poles lose their nationality by common subjection to the Hapsburg rule for centuries? Could the accident of a common king stop Norway and Sweden from separation? Again, did the Greeks, the Bulgars, the Rumanians and Serbians lose their individuality or nationality as a result of common subjection to the Ottoman Empire? If the Bulgars, the Greeks, the Yugoslavians, the Czechs, the Poles and the Rumanians did not lose their rights to nationhood and individual existence, as a result of their common subjection of centuries, why should a hundred and fifty years of English rule in India result in the extermination of the Muslim Nation? Mr. Gandhi seems to be living in a paradise of his own when he thinks that by throwing off the foreign subjection a new, politically free, nation would emerge out of the various nations, as they exist now. When Mr. Gandhi says, "The only real, though awful, test of our nationhood arises out of our common

political subjection," he is ignoring the hard fact that nations emerge and grow in this world by common ideals and aims of life. It is only a wishful thinking that by harnessing the different peoples in the daily routine of life, you could keep them in the cage of one nationhood. There is no precedent as such in the history. Of course fate has decreed that we should join in throwing off the British yoke and then live a separate peaceful national life in our own separate homelands, because there is nothing common between us, except the common shackles of slavery. India's present problem may be compared to the following example.

It so happened that a hunter captured one eagle and three ducks. They lived under the same roof for a long time, but during all this period, they longed for the free life of former times and always planned to regain their liberty. The ducks, as well as the eagle, had to live an unnatural life ; ducks could get no water tanks to swim in while the eagle could not fly in the unrestricted air.

One day it so happened that the master was in a mood of ecstasy. He asked his captives

that he was willing to set them free, but they should themselves plan the mode of their freedom. Now, ducks said that all of them may be put in a pool of water; the eagle protested against it and said that it was not acceptable to him. He pleaded that he should be set free in the air, because he could not live in a pool of water. The ducks argued that theirs was a majority decision, three votes on one side and one on the other—a perfect democratic decision—and hence the eagle must bow before it. The eagle, on the other hand, argued that the life they proposed was not congenial to his temperament and hence he could never adapt himself according to it. Upon this the ducks accused the eagle of having slavish mentality, retarding the way to liberty, shamelessly compromising with the master, and of every other so-called national abuses! The eagle would try his best to bring them to reason and to get his point of view understood by them, but the ducks would not listen to him. They had no other reason or argument but the democratic majority rule, and common subjection.

Exactly similar is the position of Muslims and Hindus in this enslaved land. Hindus

would not listen to the Muslim's plea that they can never live in the uncongenial atmosphere of a united India, but would repeat the parrot-like democratic slogans of nationalism and unity and down all these so-called communalists. But the most ugly part of the story is that the very communalism which they abhor and condemn on political platform is their nationalism in daily life.

Well, that was just by the way and let us revert to analyse scientifically how Hindus and Muslims are two separate nations. Nationalism being a subjective conception, cannot easily be defined, but its sharp boundaries can clearly be felt. The French philosopher Renan defines a nation thus:

"A nation is a living soul, a spiritual principle. Two things constitute this soul, this spiritual principle. One is the past, the other is the present. One is the possession in common of a rich heritage of memories, the other is the present consent, the desire to live together, the will to preserve the undivided heritage."

Every word of the above definition bespeaks itself that Hindus and Muslim are

separate nations. As nationalism is truly a spiritual force, who can deny that Hinduism and Islam are two distinct and distinguishable spiritual forces? They represent separate views of life, but let us postpone the discussion on religious basis to a later point.

Firstly, let us take the past of both the nations. Hindus have a history of their own, while Muslims take pride in their own historical past. Muslims claim an international historical past, while Hindus have their own heroes in Arjan, Yudhishter and Rama. Often the heroes of two nations have conflicting careers; the hero of one nation is supposed to be the arch enemy of the other, while the uniform policy of indifference is applicable in almost all cases. If Hindus and Muslims in all cases do not treat all their heroes in the spirit of the memories of Shivaji Mahratta and Aurangzeb, they at least never feel proud together for the glorious reign of Vikramaditya and the golden age of four Caliphs. Take a step further, and you will find that both have their separate national calendars and historic festivals. Mussalmans have their national festivals in the two Ids, Shab-i-Barat etc., while the Hindus have their

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festival days in Holi, Dewali, Basant etc., What is more, the festivals are celebrated in remarkable different spirits and manners and have different significance and the morals they teach are different. It is a very very rare phenomenon to see any Muslim or Hindu taking part in the festivals of the other nation. Further, they have their own customs, at every stage of life from birth till death, when the Muslims bury their dead while the Hindus would burn them.

Look at the two adjoining houses, one of a Muslim and the other of a Hindu, in the same street and in the same city. They manifest two distinct cultures and civilisations. Those very people, who are living together for centuries past, have a difference in dialect, even of the same language, apart from the main difference of one writing from right to left and other preferring to write from left to right. They are not only distinguishable from their names, facial expressions, manners in which they address, etc., but also from dress. Hindus would generally be found wearing short 'dhotis' or narrow pyjamas, while a Muslim would be clad in rather too much of cloth, which a Hindu may call

waste. Their taste in the matter of food may also be noticed as well as the manner in which they take their meals. Muslims serve themselves in large dishes, while Hindus will be having their meals in small "katories" and big leaves of banana tree. And, mark yet another difference. The design, masonry and situation not only of the places of worship of the two nations but also dwelling houses in general present a sharp contrast. Also the intercourse of centuries has not cast any deep impression upon the daily habits and ways of living of the two adjoining families. Many Hindu families may be living in one house, but this is very seldom, almost never a case amongst the Muslims. At the top of all this comes the rigid caste system of the Hindus, obedience of which has made them observe the complete social and economic boycott of the Muslims till present day.

These may be little and minute differences in the manners and ways of life of the two peoples, but they certainly reflect their character, mind and mentality. They have historical and cultural background, and now look at the present. We do not find any common heritage, whose

joint inheritors we may be. Each people has its own heritage, or whatever you may call it, which if not antagonistic to the other bears no cultural, historical, religious or blood relation with it.

Instead of the will to live together, there is a mutual distrust and irresistible separatist tendency. There is a cultural struggle going on and Mussalmans have strong reasons to believe that if they lose this race, this is the end of their national existence. Hindus know it too, but to camouflage their ulterior motives, some deny it, while others admit the same bluntly. It was on 16th August, 1943, that Mr. Savarkar, the ex-President of the Hindu Mahasabha, and still its virtual dictator said, "I have no quarrel with Mr. Jinnah's two-nation theory. We Hindus are a nation by ourselves, and it is a historical fact that Hindus and Muslims are two nations."

The tragedy is that while admitting this fundamental truth, they are the people who in this age of liberty and freedom, dream of enslaving the Muslims, even where they are in majority, by raising the hypocritic slogans of democracy and united India.

The same view that Hindus and Muslims are the protagonists of two distinct cultures and

separate civilizations, was expressed by the Joint Parliamentary Committee on the Indian Constitutional Reforms.

The following paragraph, in a compact form illustrates the conflict of nationalism in its true character in India :

“ India is inhabited by many races, often as distinct from one another in origin, tradition, manner of life as are the nations of Europe. Two thirds of its inhabitants profess Hinduism in one form or another, as their religion; over 77 millions (*now about 100 millions*) are followers of Islam ; and the difference between the two is not only of religion in the stricter sense, but also of law and culture. They may be said indeed to represent two distinct and separate civilizations. Hinduism is distinguished by the phenomenon of its Caste, which is the basis of its religious and social system, and save in a very restricted field remains unaffected by contact with the philosophies of the West ; the religion of Islam, on the other hand, is based upon the conception of equality of man.”

Exactly similar were the conclusions arrived at by the Simon Commission, which put the premises as thus :

These are the observations which every sane man having the eyes to see and a little brain to think, can observe without taking the trouble to go deep in the matter. But Mr. Gandhi claims to have read the Quran and has a deep religious mind. He has Maulana Abul Kalam Azad, as a great Muslim theologian to tell him the Islamic conception of nationality. In spite of all this the Mahatma appears to be wholly ignorant, or at least he makes such an impression of the spirit of Islam, and if those who surround him have not told him this Islamic truth, they have acted most dangerously not only towards the Muslims, Mahatma and the Congress, but towards the whole of India. I feel not at all embarrassed to say that for us **Muslims** these old and modern conceptions of **nationality** are just matters of practical interest, which fortunately go in our favour. For us, the real test of nationhood is laid down in the Quran. Whatever may be the forces acting around us, Islam shows the light and Quran is the principal guide from which the Muslims draw inspiration. I have not to hesitate for a second when I say that I base my nationality upon the Islamic teachings and let us discuss them here.

NATIONALITY IN ISLAM

It is generally believed that religion is only a link between man and God—a spiritual bond, which unites man with the Supreme Creator. It is a means for the moral and spiritual advancement, i.e., it has nothing to do with the practical and worldly life but when the man is free from his worldly engagements he may divert his attention towards a mystical and supreme authority whom he calls Almighty God. By this attendance he would receive contentment of heart, whereby his mind would become all the more enlightened—the final stage being that of salvation. To gain this end there are different paths, and a common name ascribed to them in that of prayer. That is all, religion has no place outside the four walls of the church.

I have no quarrel with the beliefs of other religions. Christianity in modern times has lost its vitality and Hinduism may be a rigid and insular social system, yet as a religion it has no hard and fast principles. It can at once accommodate an atheist, a theist and a polytheist. But the religion of Mussalmans is diametrically different from this. For a Mussalman religion is not a private affair, but a special outlook on life,

a specialized attitude of mind, and a general code of Laws and regulations. Islam does not confine itself to spiritual tenets, moral doctrines, or ceremonies of life, marriage and death, but governs the Muslim society and every sphere of human life, individually and collectively. Islam is the motive spring of all our activities in every department of life and Quran is the fundamental code not only of theology but also of civil, commercial, judicial, criminal and penal jurisprudence. Not only this, it lays down the broad principles upon which the government of a country is to be based, and Islam is a state-concept in itself. The rules and laws laid down in the Quran are to be enforced through state authority, otherwise this body of regulations would be reduced to the status of academic theories. Islam comprises in itself the state and the church, and but for ruling power it would be a hollow force, a mystical religion, a collection of worn out dogmas and effete superstitions. Politics is a part of Islam and the religion of a Mussalman is his politics. This is what Pandit Jawahar Lal Nehru contemptuously calls "Mediævalism," and it is exactly this spirit and ideal which the Mussalmans cannot afford to forego. Little does the learned Pandit realise

tha his so-called "Modernism," based as it is
on national egoism, is only another form of
barbarism. It is a direct outcome of an over-
developed industrialism, through which men
pacify their primitive instincts.

The systematic collection of statutes and
the body of laws so arranged in Islam is
the Almighty's guidance and the enforcing power is
the "Hakumat-i Ilahya"—the kingdom of Almighty
God. Thus when a people has been gifted with
the statute-book, they must have the state power
to put it into practical use, or in other words,
they ought to be the agents of Almighty to rule
the land. To these people, Islam gives the name
of Muslims and their mission in life is to carry
out His orders, spread the message and gospels
of the Quran, and bring peace and order to the ail-
ing humanity. But the membership of this
organization is not restricted by the barriers of
class, race and geography. All those who come
under the banner of Islam and subjugate them-
selves to the will of Almighty, form this cosmo-
politan society, called the brotherhood of Islam.
The Quran speaks of true followers as one
without any distinction of caste and colour.
Thus race, colour and language, the community
of which is considered the sole basis of nation-

hood, have no recognition in Islam. The renowned historian Hane-Poole in his history of India observes: "The caste system had accustomed Indians to immovable barriers between classes and though Muslim kings had no claim of pedigree and not much distinction of ceremonial purity, they formed in a way a caste, the caste of Islam, a fellowship of equal brotherhood unsurpassed in coherence and strength in all the world. The great power of Islam as a missionary influence in India has been due to the benefits of this class. The moment an Indian accepts Islam, he enters a brotherhood which admits no distinctions of class in the sight of God and every advancement in office and rank and marriage is open to him."

Here is contained an exact classification of the two nations—Hindus and Muslims, and also the reply to Mr. Gandhi's query: "Will the two nations become one if the whole of India accepted Islam? Will Bengalis, Oriyas, Andharas, Tamilians, Gujaratis etc. cease to have their special characteristics if all of them become converts to Islam?" It is a pity that a man of Gandhiji's intelligence and acumen cannot see the fact as it is, while a foreign historian could fully understand the problem. Mr. Gandhi

should know that Islam brings in its train revolutionary ideas, which overshadow the special characteristics of different peoples who accept Islam as their creed and religion. Islam brings a complete metamorphosis in the outlook towards life, character, social behaviour, political thoughts and sense of value and proportion of every convert to Islam. Even today if an Indian Mussalman goes in a Hindu mohallah of his own native town, he feels himself a stranger, but the same Mussalman feels quite at home in the far-away Muslim countries of Asia. This is the reason why Hindus and Dravidians of Madras, Hindus of Bengal, Madras, and Bombay may or may not be able to form one nation, but the Mussalmans of every part of India, and as a matter of fact of the whole world regard themselves as members of the same nation. Islam has an international outlook on life, and a perfect system devisable for an international body. The idea of equality of mankind was infused and demonstrated by Mussalmans in every age and every walk of life. Islamic spirit practically revolts against the inhuman thought of racial superiority, and wherever in the history of the world there occurred any move for internationalism, it was due to the indirect trend of thought spread by Islamic teachings. It is argued

that the international and universal character of Islam has been lost through a process of localization in the past centuries, and to-day these ideas are more Indian, Turkish or Egyptian than purely Islamic. There may be a little truth in this statement, but then is it not the duty of every Mussalman, in the words of Allama Iqbal, "to tear off from Islam the hard crust which has immobilized an essentially dynamic outlook on life, and to rediscover the original verities of freedom, equality, and solidarity with a view to rebuild our moral, social and political ideals out of their original simplicity and universality?"

From the above discussion another factor is prominently conspicuous, viz., Mussalmans can have no compromise, but only a treaty with non-Muslims. The very idea of forming a composite organization with non-Muslims is alien to the Islamic teachings and philosophy. Mussalmans can enter into coalitions with non-Muslim bodies, but they can never merge their entity with non-Muslims and must keep their independent national character intact. So there is a religious bar for Muslims to enter into a political organization formed of all the heterogeneous elements such as Hindus, Muslims, Sikhs etc. I wish clear injunctions of the Quran may open the eyes

of those Mussalmans who believe in the immutable words of God and still persist in remaining the members of the Indian National Congress.

Thus, Islam and Hinduism are poles apart from each other and the unity of these two nations in a single national organization is nothing short of fiction. Perhaps it was this feeling that Islam is a complete philosophy of life, a social and moral polity, a state concept governing every sphere of individual and collective life; and also that Hinduism is a rigid and insular social system which actuated Qaid-e-Azam in his presidential address at Lahore in 1940, say :

“ They are not religions in the strict sense of the word, but are in fact different and distinct social orders, and it is a dream that Hindus and Muslims can ever evolve a common nationality. This misconception of one Indian nation has gone far beyond the limits and is the cause of most of our troubles, and will lead India to destruction if we fail to revise our notions in time. The Hindus and Muslims belong to two different religious philosophies, social customs, and culture. They have different epics, different heroes, and different episodes.” Elucidating the point, Qaid-e-Azam added :

“ To yoke together two such nations under a single state, one as a numerical minority, and the other as a majority, must lead to growing discontent and final destruction of any fabric, that may be so built up for the government of such a state.”

After a discussion of the religious, cultural, historical, and other matters, upon which the nationality of a people is based, let us take the most powerful factor which determines and distinguishes one people as a separate nation from the rest of the peoples and that is the *national consciousness*—the will to assert themselves as a separate and distinct nation. Mr. Gandhi, while dealing with this problem, remarked, “mere assertion is no proof.” I corroborate his remark, with a slight modification as thus: mere assertion of an individual, however highly placed he may be, is no proof. But when a people hundred million strong feel, say, and assert that they are a separate nation, it is in itself a sufficient proof that they form a separate nation. At the present state of Indian politics, it is not only a folly but a disaster of first magnitude, not to face the realities and true conditions prevailing in India. The Muslims are, by every definition and by every notion that

one can think of, a separate and distinct nation, and they can never form a homogeneous nationality with the Hindus, however loudly the Mahatma may proclaim or assert such a thing.

In this connection, let me once again cite Renan—the French philosopher, who answered the question, “what is a Nation?” as thus: “Man is enslaved neither by his race, nor by his religion, nor by the course of rivers, nor by the direction of mountain ranges. A great aggregation of men, sane of mind and warm of heart, creates a moral consciousness which is called a nation.”

The eternal truth contained in the above quotation can only be challenged by a Gandhian mind. An ordinary human being would obviously say, well if the Muslims say that they are a separate nation, let them be, why should the Hindus and Mr. Gandhi be so affectionate towards such obdurate people about whom he himself said: “Mussalman as a rule is a bully... the thirteen hundred years of Imperialist expansion has made Mussalmans fighters as a body; they are therefore aggressive.” Why insist to keep these aggressive people in one-nation fold. But this is a deep and sinister game and it will

not be out of place to trace here how the Muslims regained their moral or national consciousness.

MUSLIM NATIONAL RENAISSANCE

After the first war of Indian liberation 1857, the relations of English and Mussalmans were naturally very strained. Mussalmans, who till recently had been the ruling power were now reduced from that lofty position to that of suspected subject people. The Hindus, on the other hand, had been quick to join hands with the British and were the pets of the new conquerors, as compared with the Mussalmans, whom they regarded as pest. Everywhere the Hindus enjoyed English patronage and that almost in every case at the expense of the Muslims. Dislodged from the position of a ruler, they were too proud and sensitive to reconcile themselves easily with the English, whom they regarded as usurpers. Hindus on the other hand gained English confidence, and thus advanced in every sphere of Indian life. Hindus co-operated with the British in education, commerce, administration of the Government etc., apart from humouring and inciting them against the Muslim community.

The slavery of 1,000 years or more had taught the Hindus these tactics. This state of degradation of the Muslim community as a whole, continued till the end of the nineteenth century, when the clarion call of Syed Ahmed Khan made a halt against this flood of destruction and isolation. He warned the Mussalmans against the policy of isolation from the moving currents of the world forces. He tried to remove suspicions, both from the British and Muslim minds. That great and far-sighted benefactor of the Mussalmans of India, had the vision to see the grave consequences that were resulting and much graver results that were likely to follow if Mussalmans continued their policy of isolating themselves educationally and politically. Also he had the courage to say, what he felt, openly and fearlessly, and he did his duty. After that period began the 'renaissance' of Muslim India, but the Mussalmans had been so much handicapped in the race with the Hindus that the gap between them has not been filled up.

During this period, the foundations of the Indian National Congress had been laid down under the British patronage and till 1920 it had grown sufficiently strong. The Mussalmans had

also joined this organisation in sufficient numbers. Although both Hindus and Muslims had always, at the back of their minds, the feeling of being separate entities, it naturally could not be displayed in the political field, since masses had absolutely no voice in running the Government. But in 1906 the air was thick that the Indians were to be associated with the machinery of the Government. For the first time in the history of India, democracy was to be introduced in a limited form and restricted sphere. Mussalmans, being not only in minority, but also backward in education, commerce and other spheres of life had their suspicions aroused. A deputation of the leading Mussalmans of India, waited upon the then Viceroy Lord Minto, and asked for separate electorates for the Mussalmans. The demand was supported by such historical facts and cogent reasons that Lord Minto had to concede the legitimacy of the demand. The Hindus opposed this move on the part of the Mussalmans, but Minto-Morley reforms introduced in 1909 accepted the right of separate electorates for the Mussalmans.

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amongst the Hindus and Muslims. The validity and reasonableness of the demand was recognized even by the fair-minded Hindus, and the great Hindu leader Mr. G. K. Gokhale said in 1907, "Confronted by an overwhelming Hindu majority, Muslims are naturally afraid that release from the British yoke might in their case mean enslavement to Hindus. Were the Hindus similarly situated as are the Muslims in regard to numbers, and other things would they not have entertained similar misgivings? We would undoubtedly have felt the same fears and adopted the identical policy which the Muslims are adopting today."

But it was only in such rare cases that Hindu leadership would see the justice of the demand, otherwise almost all of them cried hoarse against it, what they described as a concession from British bureaucracy to Muslim communalists. As the Hindus, due to initial advantages, advanced more and more, the Muslims and Hindus drifted farther away from each other. Several attempts were made to unite the two great nations, but no common ground could be found. Neither the Congress, nor the Muslim League had at that time adopted complete independence as their creed and policy. Both

only asked for an effective share in the services and administration of the country. Mussalmans keeping their separate entity had at all times extended their hand of friendship to the Hindus, but every time it was refused. Hindus wanted complete merger of the Mussalmans, which they were not prepared to do. The trade mark "Nationalist" suited Hindu designs, because by this label they could deceive the whole world, keep the Muslims, scheduled castes and other minorities away from the right track and oppress, suppress and tyrannise over them under the nationalist garb. But the Muslims stood the racket and proclaimed that they meant to have an honourable place under the Indian sun.

LUCKNOW PACT

The Congress ultimately had to yield to the truth. The Muslim League and the Congress with a boldness, which reflected the character of the then leaders of both the organisations, compromised their differences and Lucknow pact was consummated in 1916. This pact was based upon the essential assumption by both the parties that Hindus and Muslims were two separate nations. This meant that two separate entities were entering into an agreement, otherwise there was no sense in having the pact.

It was the second time, the first being in 1909, that in modern India the Muslims and Hindus were officially acknowledged as two separate nations.

The Lucknow pact was a great force which compelled the speedy introduction of Montague-Chelmsford reforms in 1919 and both Hindus and Muslims worked together under this pact. Also the Congress unequivocally recognized the principle of separate electorates by this pact. But, alas, the pact was short-lived. Hindus—let me be blunt enough to say that it is their narrow-mindedness and stupidity—ever took it as the greatest blunder on their part and ever since have been trying to wriggle out of this noble understanding. Now, the Congress leadership passed into Mr. Gandhi's hands and let it be said to the Congress's shame, that they manifestly went against every clause of the Lucknow pact. Mr. Gandhi, introduced spiritualism into Indian politics and dreamed that "Hinduism will burst forth upon the world with a brilliance perhaps unknown before." The way of doing it, of course, is his own. Since then Congress with its supreme leader Mr. Gandhi concentrated all its energies on annihilating the separate and distinct existence of the Muslims.

separate nation. This was the beginning of the end, the end of united India.

Anyhow, the Lucknow pact had given a new life to the Congress, and by the alliance of the Mussalmans, Congress gained such an immense power and prestige, as was never known in its history. On the other hand the Muslim League became a mere appendix of that powerful body. But, now the Congress had diverted its energies towards another direction—the clear renunciation of Lucknow pact, i.e., the swallowing up of Muslim nation into Hindu fold; the formation of one Indian nation, thus camouflaging the real object of Hindu Imperialist Raj.

KHILAFAT MOVEMENT AND AFTER

The war in Europe had come to an end. Turkey the centre of Muslim Caliphate was being humiliated and disintegrated by the Allied Powers, and quite naturally the Muslim sentiments were at the highest pitch. They agitated against the gross injustice towards the Muslim world. Mr. Gandhi saw the chance, as would never recur for the coming so many years. Here was the time to merge them into larger whole of the Hindus. Also the diplomatic game of making friends with the rulers and keeping Mus-

lims and the British at war path was fading out. The English no longer tyrannized the Indian Muslim nation, merely for vengeance's sake and to please the Hindus. This was the right time to revive the old game. Mr. Gandhi was intelligent enough to see the futility of the struggle, but very shrewdly he played upon the Muslim sentiments. He himself let the cat out of the bag, when he explained his joining and leading the Khilafat movement. Thus he said: "No one who does not believe in cow protection can possibly be a Hindu. Every fibre of my being is Hindu. It will now be understood why I consider myself a Sanatani Hindu. I yield to no one in my regard for the cow. Hindus will be judged not by their *tilaks*, not by their correct chanting of *mantras*, not by their pilgrimages, not by their most punctilious observance of caste rules, but by their ability to protect the cow. The way to protect it is to die for it. I have made the Khilafat cause my own, because I see that through its protection, full protection can be secured for the cow. I have always said that my politics are subservient to my religion. I should discard them to-day, if they hinder it."

That is the true description of Gandhian mind. The Mussalmans were used as tools for

their own ulterior and sinister ends of seeing the Hindutva reigning supreme in this land and enslaving the rest of the peoples of India under Brahman-Bania oligarchy. Hinduism and Islam are two antagonistic philosophies of life and Mr. Gandhi's aim is to see the triumph of Hinduism and downfall of Islam. Mr. Gandhi's politics is directed towards this end; his politics being subservient to his religion. Who can under these circumstances doubt that Congress aims at the establishment of Ram Raj in this sub-continent, under the nationalist garb? Muslims do not grudge Mr. Gandhi's attachment towards Hindu religion, but let Mr. Gandhi be frank and open in his professions, and if not generous, be only fair and just towards others. Our only plea is do not deceive yourself and the rest of the world. Dishonesty never pays in life.

Correlated with the Khilafat agitation is the Hijrat movement. This was a display of unique self-sacrifice by a people who thought they could not live true to their faith in the un-Islamic atmosphere of India. Mussalmans sold their houses, lands, chattels, property and marched towards Afghanistan, quite blind of the consequences. The failure of the movement

was evident to every intelligent man, but Mr. Gandhi wanted to see the Muslim nation weakened and humiliated. He had acquired a hold over the masses and encouraged the Muslims by saying that they had their brethren in foreign countries to whom they could look for help, as against the Hindus who had to confine themselves to the boundaries of India. Incidentally, here, Mahatma Gandhi acknowledged the international character of Islam and admitted that Hindus and Muslims formed two separate nations—the two nations poles apart, having different affiliations and each having a distinct destiny of its own.

The Khilafat and Hijrat movements had left the Mussalmans broken and shattered. They had lost the self-confidence they had and nothing but despair loomed before their eyes. Now they were a disorganised herd of people having no objective before them. Muslim League had receded into background; Congress, even its staunchest Muslim supporters left one by one, dismayed and disheartened by its appalling anti-Muslim policy; moreover the lurid expression "Purna Swaraj" gave them no inspiration. Mussalmans being dispersed in petty political parties here and there and that too in such

numbers, the large majority being indifferent or hopeless about their national future, Congress exploited the advantage to the full. But now even they admit that it was a short-sighted policy on their part. It was in 1928 that the Congress accepted the Nehru report, which was denounced by all the politically-minded Muslims. That meant the deathknell of the Muslim national aspirations. It rejected outright even the very modest demands of the Muslims contained in the 14 points of Mr. Jinnah. They were drafted at that time keeping in view the political possibilities and national awakening of the Mussalmans. These points contained :

(i) A sort of loose federation for whole of India, with a uniform measure of autonomy to the provinces ; (ii) safeguards for Muslims in the minority provinces, e.g., weightage by reservation of seats in the legislatures ; inclusion of Muslims in the ministry ; bar on legislature passing any law exclusively affecting the minority without its consent etc. ; (iii) separate electorates ; (iv) majority rights for Muslims in Muslim majority provinces ; (v) separation of Sind from Bombay Presidency and introduction of provincial autonomy in Sind, North-West Frontier Province and Baluchistan ; and (vi) protection

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of Muslim culture, personal law and Urdu language.

Strange was the mentality of the Congress that they displayed their political bankruptcy by condemning these so very modest demands of the Mussalmans. I was amused by an interesting conversation that I happened to hear 5 years back. An ultra-nationalist Muslim who seemed to have very superfluous knowledge of politics and a great Congressite were lamenting at the deplorable state of affairs in the Punjab and Sind. The Muslim nationalist hit at a solution: why not turn these Muslim majority provinces into Muslim minority provinces by adjusting the boundaries, because they could never become nationalist-minded? The great Congress leader being inflated, burst forth, and told the ignorant nationalist Muslim the wisdom of Gandhian junta almost 20 years back. "This was the very spirit behind the Nehru report, but, alas, it could not gain the end," said the Congressite. Such were the Hindu designs which antagonised the Mussalmans still more. If the Mussalmans had any illusions in the matter they were shattered at the Round Table Conference. Mr. Gandhi's obstinacy was at its peak. He claimed to represent whole of India, and opposed

Communal Award, and never agreed to it. Finally the British Government had to enforce it, because they could not do anything otherwise. Later on the Congress also practically accepted it willy-nilly.

IQBAL'S ROLE

Now, the signs of utter disappointment of the Mussalmans from the Hindu Congress were quite obvious. But, even before this time, in December 1930 at Allahabad, Allama Iqbal by his rare insight in the Islamic spirit and teachings told the Mussalmans the solution of their miseries and their final destiny. While presiding at the Annual Session of the All-India Muslim League, he discussed the inapplicability of Western type of democracy in India, and advised the Mussalmans to strive for the formation of an independent state in the North-Western and North-Eastern zones of India, where they were in majority.

In the words of Qaid-e-Azam, "Iqbal was not merely a preacher and a philosopher. He stood for courage and action, perseverance and self-reliance, and above all, faith in God and devotion to Islam. In his person were combined the idealism of the poet and realism of the man

who takes a practical view of life. Faith in God and unceasing and untiring action is the essence of his message. And in this he emerges truly Islam. He had an unflinching faith in Islamic principles...

"Although a great poet and philosopher, he was no less a practical politician. With his firm conviction and faith in the ideals of Islam he was of the few who originally thought over the feasibility of carving out of India an Islamic state in the north-west and north-east zones, which are the historical homelands of Muslims."

A Muslim first and a Muslim last, he interpreted the voice of Islam, that Muslims were to be the final arbiters of their own destiny. Thus Iqbal was the father of the idea of independent and sovereign Muslim states in India. Perhaps the time was not ripe, or the preliminary ground for such a seemingly revolutionary programme was not ready, that due attention was not paid to what that greatest of his time, philosopher, thinker and guide visualized. Anyhow, Iqbal gave the nation food for a new thought, and his real greatness in political field lies in establishing the myth of one nation in India. He hammered into Muslim heads the dream of

gotten fundamental principle that by accepting Islam, they joined a new and separate society and formed a separate and distinct nation from rest of the peoples of India. He constantly propagated this fundamental truth, in spite of the mad opposition of so-called nationalist Ulema. Let it be said to the shame and misfortune of Muslim India that these nationalist theologians of Islam, by entering into the web of Indian nationality, were directly laying the axe at the roots of Muslim India. But this is a painful treacherous story, and let us proceed with the march of events in the Indian political life.

GOVERNMENT OF INDIA ACT, 1935

With the introduction of 1st part of the Government of India Act, 1935, a new era of political advancement was ushered in the Indian political life. Congress being the most powerful and fully organised Hindu organisation captured majority of the seats in all the Hindu majority provinces but it singularly failed to capture appreciable number of Muslim seats anywhere in India, in spite of the fact that the Mussalmans lacked any really organized political party.

Mussalmans had also realized the full implications of the Government of India Act,

1935. Those selfless and passionate among them requested Mr. Jinnah, who was then in England, to lead the Indian Mussalmans at this fateful moment. No other saviour except Jinnah could save the nation. The rudderless ship of Muslim nation was tossing helplessly, when Mr. Jinnah responded to the kindred call and assumed the captainship of the Muslim League. He gathered together the scattered forces of Muslim India, but in most of the cases, he found disappointment or utter selfishness. In his own words, "Mussalmans were then living in no man's land. They were either flunkies of the British, or camp-followers of the Congress." Still, in the elections, the Muslim League gained almost all the seats in minority provinces, although it comparatively failed in Muslim majority provinces. After the elections, Qaid-e-Azam sincerely extended his hand of friendship to the Congress. The Congress was arrogant, proud and wrecklets with the intoxication it gained at the polls; the sincere hand of comradeship was spurned. The Congress said that there could be no coalition with a separate Muslim entity, either join the Congress in sack, cloth and ashes, or you have no place under the Indian sun. This checked the Muslim India, but they recovered healthier and stronger from this check. When the Con-

gress accepted ministries in the provinces, the Hindus were obsessed with the newly acquired power. Very unwisely and hastily they sought to avenge themselves of their 1,000 years of slavery. It is an oft-repeated tale, which opened the Muslim eyes, how in their troubled state of affairs and taking advantage of Congress power, the Hindus exploited the Muslims politically, socially, economically, educationally, religiously and in every way they could. In the Congress provinces, the tri-colour flag was hoisted everywhere, as the national flag, Congress anthem sung as the national anthem and Urdu language supplanted by Hindi. Muslim children along with the Hindus were required to bow before the "Gandhi-Murti," and recite "Bande-Matram." To destroy Islamic culture and Islamic background from the minds of youngsters the notorious "Vidya Mandir" scheme was introduced. Apart from this, no less physical tyrannies were perpetrated upon the Muslims, to humiliate them and destroy their morale. But I would not go into details, the Biswa murder case judgment, and the Pirpur report stand as living witnesses to all these inhuman atrocities. The tyrannies and injustices reached such an extent that the Mussalmans demanded a Royal Commission to investigate into these

allegations, and when the Congress ministries resigned, the Mussalmans throughout India celebrated the "Deliverance Day" at the call of the Muslim League. The Congress did not stop at this; it meant to annihilate the total national existence of the Mussalmans and matters had come to a head, when the stentorian voice of the then Rashtarpati of the Congress rose that in India there were only two parties—the British and the Congress—the Mussalmans were to be seen nowhere in the picture. The picture was alarming and surroundings disappointing, still the architect of the nation, the blessed leader Mr. Mohammad Ali Jinnah worked ceaselessly; he strove as hard as the degree of the danger was. The sincerity of his purpose and the purity of his cause made the Muslims throughout India gather under his banner, for one and only one purpose—to save themselves from total extinction in this sub-continent, where once their forefathers had ruled justly and equitably. Perhaps the Almighty God willed it so and the Mussalmans who until recently stood shattered and bewildered were solidly behind the Muslim League. Muslim League gave them a firm, a common platform and a unified view of life. This was a miracle, which was not seen so suddenly and unexpectedly, but Qutub-Allah

led the Mussalmans by stages. The first stage was when he told the world bluntly that Western type of democracy was unsuited to India. It could never work ; that such a system was alien to Indian requirements. Then he made the Muslims self-conscious that they were a nation, —a nation of 100 millions with one soul and one destiny, and it was a colossal misrepresentation of facts to dub them as a mere minority. It was the turning point in the history of political events in India. Upon this most vital point rested the future destiny of 100 million souls. Qaid-e-Azam has proved it to the hilt. Also Qaid-e-Azam exploded the myth of the geographical unity of India and said that India was not one country, but a sub-continent inhabited by many nationalities, the major among them being Hindus and Muslims.

FINAL STAGE

Thus the stage was set for finally lifting the curtain and it was in 1940, that the national will was expressed by the passing of Pakistan Resolution. Mussalmans are a separate nation having their homeland in North-Western and Eastern zones of India and they must rule these areas themselves. That was the end of the

Hindu Congress aspiration of Ram Raj and Hindu imperialist domination over the Muslims.

Pakistan cannot be the creation of a single mind, it is the expression of a nation's will, determination and volition, but it required a leader of Jinnah's calibre, to bring this wonderful change in the outlook of Muslim India. Out of dust he raised us and gave us honour and prestige. The utter despondency, which had gripped the hearts of Mussalmans, was replaced by courage, solidarity of opinion, a union of mind and thought, belief in ultimate victory and glory of truth and righteousness. Qaid-e-Azam himself, in Pakistan Day message of 1944, thanked Almighty at the amazing progress which the Mussalmans had made; and observed thus:

"The progress that the Mussalmans as a nation have made during these three years is a remarkable fact. Never before in the history of the world has a nation rallied round a common platform and a common ideal in such a short time as the Muslims have done in this part of the continent. Never before has a nation, mis-called a minority, moved so quickly and united so suddenly. Never before has the solidarity of millions of population been established so fast and so ordered in a little time for the sake of a common ideal."

peculiar circumstances as are prevalent in India. Three years ago, Pakistan was a resolution. Today it is an article of faith, a matter of life and death with Muslim India.

“It is not mere sentiment or propaganda that has helped us in establishing our national solidarity. It is really the justice of our cause, the fairness of our demand, and our birthright to self-determination, by which today we are proud to stand, and for which we are prepared to die.”

Finally let me clear one point. Although it was Congress's short-sighted policy, its suppression and oppression of the Muslims which played a great part in the Muslim national awakening, just as every oppressed people tries desperately to free itself from the yoke of a tyrant, it was not the sole cause for Muslim demand of Pakistan and separate living. It was the natural outcome of their separate nationhood and distinct philosophy of life; Hindu Congress tyrannies only gave a fillip to this move. Looking through this angle we are thankful to the Congress and our Hindu neighbours that they brought home the truth to us in rather short time. Let alone this thing, if not any other cause, make the Muslims forgive the Hindu

atrocities, and let the Hindus stop their insidious designs, so that in future we may live as good neighbours.

APPROACH TO THE PROBLEM

In India there are essentially three powers and it is an irony of fate that each one of them is at war with the other two. First in this category comes the British, which is undoubtedly the best organized and the strongest party in the field. The ruling power gives them tremendous resources and prestige. Next comes the Congress, which for all intents and purposes is a Hindu body. In spite of all its pretences and camouflaging, it stands for Hindu National independence. And now we take the Muslims, whose only authoritative and representative organization is the All-India Muslim League. In Muslim League and League alone the Muslim India finds the expression of its true sentiments and determination. This imposes a sacred duty upon the Muslim League to make the Mussalmans of India as great a nation as they were in the past. But when the Muslims declare that they would work for Pakistan, make every sacrifice for Pakistan, and shed the last drop of their blood for Pakistan, it is not merely for those zones where Mussalmans are in majority,

but for the whole sub-continent of India. Unless the British Government in India is eliminated, the achievement of Pakistan is an impossibility, and therefore more we fight for Pakistan the more we are fighting for the freedom of whole of India. The fight for Pakistan can never be separated from the Hindustan's fight for freedom. Hence it is the Muslim League, which is truly championing the cause of India's liberty and independence. Let us proceed to examine the approach which the British Government and Congress versus Muslim League have made for solving the constitutional problems of India in the recent past.

BRITAIN'S DUBIOUS POLICY

The position of the British Government is diabolically dubious in this direction. At once they assure the Muslims that no new constitution for India can be enforced against their consent, and at the same time they sing the songs of golden reign of Akbar and propagated new theories about the geographical unity of India. The present Viceroy Lord Wavell has faithfully copied his predecessor Lord Linlithgow in this direction. The British are now asking a people to realize that geographical unity of India is only a fiction, or at best a minor fiction.

hold their sway over India only as long as they could befooled the Hindu imperialist minds by this process. They know that the Indian peoples can only be united by dividing India into two parts; one Hindustan and the other Pakistan, and hence they back the Congress and Mahasabha, which are opposite sides of the same coin, in their campaign of vilifying the Muslim League, thus avoiding the so-called surgical operation. The English people are too shrewd in this respect and have succeeded in putting the Hindus on the wrong track. They know that there is no such thing as an Indian nation and a united India will be a cockpit of feuds and can never be a free and united country at the same time. In the previous chapter I gave extracts from the reports of the Joint Parliamentary Committee on the Indian Constitutional Reforms and Simon Commission, but it was as back as 1858 that that far-sighted statesman John Bright spoke of the folly of uniting India into one country and Indians into one nation.

“But how long does England propose to govern India? Does any man with the smallest glimmering of commonsense ‘believe’ that so great a country with its twenty different nations and twenty languages can ever be ‘bound’ up and

consolidated into one compact and enduring Empire?" said John Bright.

The same view that Hindus and Muslims are the protagonists of two separate ideologies of life and hence as separate and distinct nations as different nations in the continent of Europe, was admitted by Mr. Amery, the then Secretary of State for India, during the course of a speech in the Parliament in which he said as follows,--

"The foremost among these elements stands the great Muslim community of ninety million strong and constituting a majority both in North-Western and North-Eastern India, but scattered as a minority over the sub-continent. In religious and social outlook, in history, tradition and culture, the difference between them and their Hindu fellow countrymen goes as deep as the any similar differences in Europe."

But the true description and exact nature of the Hindu-Muslim problem has very recently been given by Sir Henry Lawrence, Agent Governor of Bombay in 1926, and an expert critic of Indian Constitutional affairs, from first hand knowledge of the old deccan. The position of Hindus and Muslims in the Indian Government is compared by Sir Henry

with "what would happen if there was a union of Japan with a population of 100 millions and Britain with 50 millions?"

"On the general principle of majority rule the Japanese would have full control of the joint Government. It would be idle for a Briton to claim to be the better man ; counting of heads would make him an underdog. This is the case of the Muslim League of 100 million against the Hindu preponderance of 200 million," writes Sir Henry.

Perhaps this is the truest comment, with the existing state of relationship between the two major nations in India.

It was this truth of the fundamentals which led the British Government to make the August 1940 declaration, by which the British Government stands faithfully till now. The Muslims had a very bitter experience of the appeasement policy of the Government towards the Hindu Congress and naturally they did not want to be stampeded into a new constitution by another "Gentlemen's agreement" between the English and the Hindus. By this declaration, the British assured the minorities that no new constitution will be enforced in India against

their consent and will. With the exception of this declaration—the degree of whose falsity is as great as the vociferous vilifying of its authors by the leaders and press against it—the British Government along followed the appeasement policy of the Congress and that too at the cost of the Muslims. Any Move that comes forward which throws overboard the fundamental basis on which the constitution of India should be framed. Recognizing the basic truth that it is not one people, but many peoples that inhabit this sub-continent, they totally ignore this fundamental point, while presenting any new constitution and repeat the parrot-like cry of 'All India' to gain their own selfish ends, to please the Hindu Congress caucus.

THE CRIPPS PROPOSALS

The most important move in this direction was the Cripps offer of 1942, about which the British Government does not feel tired of repeating ad nauseum that this offer is null and void because it may be formed the basis for a new constitution. The Hindu Congress too has been also sorry at its rejection and would have accepted the first opportunity to accept it. In spite of the English explanation, this move was a real anxious moment in India's history and the

cial aim was to woo the Congress. But the Congress could not accept the post-dated cheque of a seemingly crashing bank and hence, let it be said to the good fortune of Mussalmans, the offer was rejected both by the Muslim League and the Congress. Of course both had different reasons to offer. What did the Cripps proposals contemplate? The Cripps proposal by its very first clause accepted the Congress demand of calling a constituent Assembly to frame the future constitution of India, immediately upon the cessation of the hostilities. The manner to elect this constitution-making body was described as follows :

“Immediately upon the result being known of the provincial elections, which will be necessary at the end of hostilities, the entire membership of the Lower Houses of Provincial legislatures shall, as a single electoral college, proceed to the election of the constitution-making body by the system of proportional representation. This new body shall be in number about 1/10th of the number of electoral college. Indian states shall be invited to appoint representatives in the same proportion to their total population as in the case of the representatives of British India as a whole and with the same powers as British Indian members.”

In this draft declaration, there is a wash for the Mussalmans, and not more than an eye-wash, when it gave the provinces of British India that was not to accept the new constitution to represent constitutional position, provision made for its subsequent accession if it desired. With such non-acceding provinces, also, His Majesty's Government proposed to agree upon a new constitution for them the same full status as the last one, and arrived at by a procedure analogous to that of Indian Union.

To determine whether a province did not desire to accede, Sir Stafford Cripps explained that where the Provincial Legislature had decided by a majority of 60 per cent. in favour of the accession, then the Government would not be necessary to have a plebiscite. If 60 per cent of the legislature did not favour the accession, then the Government would have the right to call for a plebiscite. If the plebiscite itself would be decided by a majority.

Let us proceed to analyse the declaration.

The draft declaration is based on wrong principles from the moment it proposes

and if the British stick to their own pronouncements, from the English view-point as well. It is based upon the conception of a united India and one Indian nation. The British position is very dubious, and clearly smacks of faithlessness towards their own declared observations. If they believe in a united India and one Indian nation, honour demands that they should honestly stand by it and its logical implications. Why then this tall talk about secession and possibility of dividing India into two states? There are no rational bases for giving the right to any province, as they exist now, to stay out of the proposed Indian Union. The idea of separation of territorial units as such is really misleading. Firstly, the Indian provinces are not territorial units, as it is used in the constitutional sense of the term. For such a territorial unit, a specified tract of land; with a homogeneous people having the same culture, civilization and language is necessary. It must have existed independently of the other units as such and must have the will to forge a common political and economic charter of its own. Indian provinces, on the other hand, are mere administrative units of the Government of India and their boundaries were marked from time to time to suit the British Government's convenience, without paying any heed to the religious, social,

economic and cultural needs and histories of the people inhabiting those parts of the earth. Again, the right of self-determination necessarily belongs to a national group; it is illogical to talk of a plebiscite of the population. Muslims demand the right of self-determination and separation as a distinct nation having majority in North-Eastern and Western zones of India, and hence it is left to their discretion whether they stay in the Indian union, or go out of it. Their demand comes from them and they alone should be the deciding factor.

ples and races as there are in the great sub-continent of Russia."

If this view is to be accepted, then the Cripps scheme is basically faulty and intrinsically wrong. Anything that has slippery foundations can never stand and is bound to topple down. For a Constituent Assembly, as has already been discussed the presence of a homogeneous people with a common outlook and destiny, in a single country, are the most essential prerequisites, and it has been proved beyond a shadow of doubt that none of these so vital factors which form the soul of a constituent Assembly exists in India. So, it is illogical and unscientific to call a constituent Assembly, whose foundations exist nowhere. It is no use assuring the people that once you may jointly get into one room, and if you do not agree, the door will be open for your getting out. It is an unnatural method and a reversed process. Why not proceed on rational lines and correct basis. The only proper way is to put the two nations in separate rooms. After separate deliberations, if they so choose, they may then assemble in one room, or devise some other machinery for mutual consultations. There is absolutely no justification for convening a constitution-making body on the basis of a United India and one

Indian nation. Such a process is totally up to the fundamentals which guide the policy of the All-India Muslim League. The Government, if they are really sincere in efforts to bring India's freedom at the earliest possible date, should proceed on this basis by convening two Constituent Assemblies for Muslim India, and the other for the rest of India.

But, even if these fundamentals are brought into discussion, and we look at the practical aspect of the proposals the present scheme envisaged is the most dangerous one to the Mussalmans. Let me sum it up in Qasim Azam's own words :

"The Union Constitution making body was to consist of ten per cent of the present Provincial Legislatures where according to the Communal Award, particularly in Bengal and the Punjab which are the main units of Pakistan, the Muslims are in minority in each House of Legislature, although according to population they are in majority. In such a constitution-making body we would be completely swamped, as the Muslim representation would be about 20 per cent. and if the Indian Princes sent in their representations (most of which are Hindu States), then our proportion of even 20 per cent would be considerably reduced."

"The question whether the Muslims should remain separate from the Hindu majority provinces or not, must be left to their determination as the demand comes from them, and they are, by every definition and every notion that one can think of, a distinct and separate nation living in this sub-continent."

There is another point why the Muslims should not be asked to agree to any such constitution-making body even with the provision that they can get out of it if they so desire. Their case is not the separation or cessation from any existing Union, which never existed in India.

They want to carve a state by simply a the boundaries of existing provinces in manner as would bring them about one of British India. The case of the Muslim is not dependent upon Hindu will or d and they do not want to make it a se. issue by agreeing to an artificial unite. body.

WAVELL SCHEME

tive Council with the exception of the Viceroy and the Commander-in-chief. For the first time in Indian history the British Government showed its willingness to transfer the portfolios of Finance, External Affairs and Home affairs into the hands of Indians, who were to be chosen from the representative parties of various communities. The scheme laid down parity between the Muslims and Caste Hindus, i.e., Hindus other than the scheduled castes, in the Executive Council. The powers and functions of the proposed Executive Council were defined by the Secretary of State while presenting the White Paper in the Parliament as follows :

"There is nothing in the proposals, if accepted, that will debar members of the Council from dealing with the whole problem of reconstruction entirely as they please. It will be for them to decide the industrial, agricultural and health policies and so on.

"It will be in their power, so far as British India is concerned, to decide who is to represent her as Ministers in foreign capitals, and in which capitals India wishes to be represented. The proposals, if accepted, impose no real barrier or check upon India's freedom to pursue her own course, both at home and in the world."

the mind of any party that any change in the present Constitution which in any way militates, prejudices, or prejudges the issue of Pakistan against their wishes will not be acceptable to them, and will be at the betrayal and sacrifice of 100 million Mussalmans. The League at the same time did not want to take undue advantage of the Britain's precarious situation and did not want to embarrass the British people at that time. This is why unlike the Congress' "quit India" demand they did not insist upon Pakistan, then and there, but merely asked that it should be left an open issue to be decided after the war. So, throughout the League stand has been that the League could consider the proposals for joining any provisional interim Government, if the British Government made a declaration guaranteeing the right of self-determination to the Mussalmans, and if the Muslims so decide, to establish Pakistan in consonance with the basic principles laid down in the Lahore resolution of the All-India Muslim League.

The second condition for joining any provisional arrangement was that the League should get an equal number of seats in the proposed Executive Council, and this claim of the League is based upon the fundamental truth that Mussalmans of India are a nation and not a

The ideal to which we have always looked forward is that of an All-India Union in which the States would play their full part. At the same time we have also recognised that the possibility of an agreement between Hindus and Muslims on any form of Indian Unity may be unattainable. Any interim advance, therefore, must in no way prejudice the question whether the ultimate settlement is based on a united or divided India."

Obviously the Mussalmans could not rely on such a negative assurance when it was clearly visible that the rest of the cards were also being played against them, one by one. Next, the Wavell proposals laid down parity between the Muslims and Caste Hindus. But there were to be representatives of Sikhs, Scheduled Castes, and possibly of some other minority as well, besides the Commander-in-chief, and the Viceroy himself. So in the Executive Council Muslim quota would still have been one-third; and they in the position of a minority of one-third. Now, the goal of Sikh and Scheduled Caste communities is the same as that of the Hindu Congress, viz., an All-India Unitary Government. The only grievance of scheduled castes is that of social tyranny and economic oppression, while

position, if he were to exercise his veto every off and on. And, we have sufficient experience of British policy in this direction. Let it be clearly understood that Lord Wavell would have been the last person to displease the Hindu majority, and this Hindu-British combination was enough to thwart the Muslim aspirations.

Lastly, at the top of all this, the Muslim League was told that it was not entitled to nominate all the members for the five seats which were allotted to them communally. This was the last straw on the camel's back. And there were two claimants; one was the Congress and the other was Punjab. Malik Khizar Hayat—an expelled member of the All-India Muslim League, who was here for a Punjabi Muslim, to be nominated. This position the Muslim League could not accept either on facts or on principle. This flanking move went to the disadvantage of the Muslim League regarding its constitutional representative capacity. Their audacity, but sheer stupidity, of those who challenge the All-India Muslim League as the authoritative and representative organisation of the Mussalmans of India.

cannot be cent per cent unanimity in this world, and you can always pick up quislings and Lavalists from any of its parts. It is an unwanted modesty to call these so-called nationalist Muslims as misguided patriots; I stick to the word traitor.

The next claimant in the field Malik Khizar Hayat Khan, who was supported by Lord Wavell, till the final breakdown, is really a creation of Sir Bertrand James Glancy, the then Governor of Punjab. He and the rest of his class are the hand-maids of British bureaucracy in India, and dance to its tune. He was propped up, for the purpose of a subtle move to create disruption amongst the Mussalmans of the Punjab. He is the Premier of a province where the Act of 1935 has made absolutely no change, where it is the I.C.S. that rules and the police still reigns supreme. It was really very clever on his part to speak on behalf of those who were so much oppressed and illiterate that they could not at the moment raise any voice against this false representation. The eight years of Unionist regime left the poor peasants completely ignorant, illiterate, and besides sowing, ploughing, and reaping they were totally in the dark of what was going on in the world.

this respect by telling that besides himself and the Commander-in-Chief, he meant to have another Government nominated member out of the Muslim quota in the Executive Council?

Thus it was the British bureaucracy which itself torpedoed the Wavell proposals in unison with the Congress. Still they would expect the League to walk into this spider's parlour. Had the Muslim League accepted this position, it would have betrayed the Muslim nation, and all that it stands for.

Here ends the fateful story of Simla Conference and now let us take up the Congress game.

C. R. FORMULA

As I have already pointed out, the Congress policy has always been whimsical and vacillating. They have always toed the British line as far as the Muslims are concerned. After the rejection of Cripps offer, the Congress Working Committee passed a resolution, in which after strong advocacy of a united India, they grudgingly included, that the "Congress could not think in terms of compelling a territorial unit against its declared will to remain in the

Mahatma Gandhi has many facets ; first of all his individual capacity ; next he is not even a four-anna member of the Congress, yet he is its virtual dictator ; he claims to be a Mahatani Hindu and still he cannot meet Mr. Jinnah as a Hindu leader ; then to crown all, his Mahatmaic capacity, under which he is to be the sole interpreter of what he says. On the other hand Mr. Jinnah could speak only as President of the All-India Muslim League. An agreement could only be arrived at when both the parties are fully competent to negotiate and are clothed with representative capacity by their respective organisations. So, it is clear that in this case, if an agreement had resulted, all the Mussalmans of India would have been bound, while on the other side Congress would be uncommitted and Hindus could only consider the position and quite safely repudiate such an agreement. There is a glaring incident of this kind when after the outbreak of War, Mr. Gandhi met Lord Linlithgow and the thought of possible destruction of Westminster Abbey and the Houses of Parliament made him say " what was the use of Indian freedom if England and France were defeated ? " and in a statement he declared his whole-hearted and enthusiastic support for the war effort, but later on the Congress Working

all the Congress leaders. Their recent utterances and statements show that they have not changed their opinion and cling to what they have already said.

3. The 8th August 1942 resolution of the Congress which laid down—

- a. immediate grant of complete independence ;
- b. the transfer of British authority to a National Government, on the basis of a unitary, democratic Indian Government ;
- c. that after the war, this national Central Government will evolve a scheme for a Constituent Assembly to be chosen by adult suffrage, and this Assembly will draft the Constitution for free India ;
- d. to enforce these demands, Congress aimed the pistol of mass civil disobedience at the head of all those who may question the wisdom of such a move.

All this is basically opposed to the ideal and creed of the All-India Muslim League. The Muslims could join a provisional interim Government under the framework of present Con-

Muslim League to assent to the position of a mere appendix, thus denying the status of equality with the Congress. First of all what is meant by the constitution for a free India? Where and which that constitution is? Mr. Gandhi answered that the constitution would be framed by the provisional Government contemplated in the formula, or by an authority specially set up by it after the withdrawal of the British power. The powers and scope of this provisional interim Government as defined by Mr. Gandhi were as follows:—

“A provisional interim Government which will be responsible to the elected members of the present Assembly, or a newly elected one. It will have all the powers, less those of the Commander-in-chief during the war, and full powers thereafter. It will be the authority to give effect to the agreement that may be arrived at between the Congress and the League.”

It was to this form of central unitary Government responsible to a Legislature having more than 75% Hindu members that the Congress asked the League to co-operate. That clearly meant the establishment of a Hindu majority Raj, on the basis of a United India, to which

are in a majority of over 70 per cent, for Mr. Gandhi says that by absolute majority he means, "a clear majority over non-Muslim elements as in Sind, Baluchistan, or the Frontier Province." Such a process, which in the words of a British journal, "would leave Pakistan like a moth-eaten patch-work quilt, without even the threads to hold its separate portions together", is in gross contradiction to the Pakistan resolution of the League. For what the League asks is not the demarcation of contiguous districts where Muslim population is in absolute majority, but the demarcation of geographically contiguous units into regions which should be so constituted, with such territorial readjustments as may be necessary, that the areas in which the Mussalmans are numerically in a majority may be grouped to constitute an independent State. Thus the Muslim League scheme envisages the territorial readjustments of the present provinces, and that too on the side of Pakistan as well as Hindustan. According to well-known canons of International Law, the limits and boundaries of a state are to be marked with due regard to the safety of the state, cultural ties with the adjoining areas, intercourse with outside world and its geographical position. You cannot blindly narrow down the limits without paying any heed to

these so essential factors. C. R. formula seems to have been drafted after carefully assuring that as large a territory as possible may be excluded from the proposed Pakistan State, thus reducing it to the status of a state, which is poor, broken and dependent upon the mercy of the neighbouring Hindustan. This scheme could hardly bring even 1/8th of India to the Mussalmans. On the other hand, the Pakistan resolution would bring as large a portion of Muslim nation in the proposed state as possible, and if any regard is to be paid to the population basis for division even then the Mussalmans are entitled to nearly 1/4th of India.

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Next comes the question of separation to be decided. Even in these narrowed down, crippled, broken areas, pitted with islands of Hindustan not only on the border but deep in the Pakistan territory, it is not only the Mussalmans who are to decide their fate in their own national homelands, but a promiscuous plebiscite of all the adult population will be held to decide the issue of separation. And, it is the already mentioned enigmatical National Government, that would determine the form of plebiscite and the franchise supervise it, and then give effect to its findings. All this was to be done when

this Government was to be supreme authority and completely independent in external and internal affairs. Such a process is wholly opposed to the fundamental principles upon which the Lahore resolution is based. Mussalmans claim the right of self-determination, not as a territorial unit but as a separate nation, and hence they alone are competent to decide their destiny. Hindu opposition to the Pakistan scheme is manifestly clear, and it is height of crookedness to weld two peoples having diametrically opposite views on the same subject. There is no mistake about it that they are divided into two opposite camps. It is impossible to differ on two-nation theory and yet solve the problem of India's freedom. I can do no better than give an extract from Mr. Jinnah's letter to Mr. Gandhi on the subject. Here it follows:—

“It seems to me that you are labouring under some misconception of the real meaning of the word ‘self-determination’. Apart from the inconsistencies and contradictions of the various positions that you have adopted in the course of our correspondence, as indicated above, can you not appreciate our point of view that we claim the right of self-determination as a nation, and not as a

territorial unit, and that we are entitled to exercise our inherent right as a Muslim nation, which is our birthright?

"Whereas you are labouring under the wrong idea that 'self-determination' means only that of a 'territorial unit' which by the way is neither demarcated nor defined yet, and there is no union or federal constitution of India in being, functioning as a sovereign Central Government, ours is a case of division and carving out two independent sovereign states by way of settlement between two major nations, Hindus and Muslims, and not of severance or secession from any existing union, which is non-existent in India. The right of self-determination which we claim postulates that we are a nation and as such it would be the self-determination of the Mussalmans, and they alone are entitled to exercise that right."

Perhaps it may be said that the authors of the C. R. formula did not understand this stand of the League and were thus led to say that the C. R. formula has given substance and form to the Lahore resolution of the League. I wish, I could believe it so, thus not imputing any dishonest motives to them, but events prove just the contrary. They fully realized the League stand

and Mr. C. R. even before the Gandhi-Jinnah talks said that the League claim for confining the plebiscite only to the Muslim population is *wholly inadmissible*. I personally feel that there is a great deal of truth in the revelations made in the defamation case, that Mr. Rajagopalacharia filed against *Sunday Observer* of Madras. There a witness, whom Mr. Rajgopalachari, did not cross-question deposed as follows :—

“ Surprised at C. R.’s stresses on the Congress being implicitly followed, I asked him, why he carried on propaganda in favour of Mr. Jinnah’s demand for Pakistan, when the Congress turned it down. He admonished my superficiality and said : ‘ You read my speeches on the subject more carefully and you will find that my scheme is different from Mr. Jinnah’s. Congress made a tactical mistake in openly opposing Pakistan. While Mr. Jinnah wants the issue to be ultimately determined by the Muslims alone of the territory concerned. I want to popularise the idea of self-determination by all the people of the areas, both Muslims and non-Muslims. The non-Muslims in the Punjab, Sind and Bengal may be numerically smaller, but they are far too powerful and once they saw the prospect of separation being real, they will com-

bine with the Congress to foil the referendum. By opposing the Pakistan demand, the demand will grow stronger, and Mussalmans of all shades rally together under Mr. Jinnah's banner. That is where the Congress made the mistake, which I am trying to correct. Once we succeed in getting the co-operation of the other parties, particularly of the Muslim League, to secure a National Government, and Congress is again in power, we shall know how to use the crisis to our advantage."

This inner working of C. R.'s mind discloses the true background of Gandhi-Rajaji formula. No wonder, it was designed to torpedo the Muslim demand of Pakistan.

To remove if there was still any chance of Gandhi-Jinnah settlement, the C. R. formula, which was further elucidated by Mr. Gandhi's own subsequent offer, stipulated that a joint or Central board would be set up for the administration of foreign affairs, defence, internal communications, customs, commerce and the like, which, as Mr. Gandhi said, "must necessarily continue to be matters of common interest". This goes to destroy the very idea and foundations of the Pakistan Resolution, which envisages

completely independent states of Pakistan and Hindustan. With foreign affairs, defence, etc., which are the life-blood of a state, in the hands of a Central authority, you cannot call it independence, but only a dignified form of provincial autonomy. Obviously these matters can only be discussed when the sovereign and independent states of Pakistan and Hindustan are established. Of course, it is but natural that due to the play of international politics and physical contiguity of the two states, they would negotiate treaties for mutual help, communications and the rest of their kind. Mr. Gandhi himself fully realises this situation, for once he wrote in "Harijan" that "Pakistan according to him in a nutshell is the demand for carving out of India a portion to be wholly treated as independent and sovereign state."

The question is that if Mr. Gandhi understood this position, why did he still insist that his formula virtually gave all what the League demanded and why all this botheration of Gandhi-Jinnah talks? If Mr. Gandhi was really earnest about Hindu-Muslim unity, he could instead of this long, disingenious, and crooked formula have accepted the Pakistan Resolution

itself. Let Mr. Gandhi know that if a thing is worth doing at all, it is worth doing well.

Commenting on the failure of Gandhi-Jinnah talks Dr. B. R. Ambedkar said, that the failure was inevitable, because of the fundamental faults in the C. R. formula. The rest of his statement also contains a great deal of truth in it, and should be an eye-opener to the arrogant heads of the Congress High Command in devising their future policy. Dr. Ambedkar comments as follows on the C. R. formula :—

“ It invited Mr. Jinnah to enter into a deal. It was a bargain—‘ if you help us in getting independence, we shall be glad to consider your proposal for Pakistan.’ I do not know from where Mr. C. R. got the idea that this was the means of getting independence. It is possible that he borrowed it from the old Hindu kings of India, who built up alliances for protecting their independence against foreign enemies by giving their daughters to the neighbouring princes.

“ Mr. Rajagopalachari forgot that such alliances brought neither a good husband, nor a permanent ally. To make communal settlement depending upon help rendered in winning freedom is a very unwise way of proceeding in a matter of

this kind. It is a way of coercing a party to accept the political programme of another party by treating communal settlement as an article of sale.

“The second fault in the C. R. formula relates to the machinery for giving effect to an agreement that may be arrived at. The agency suggested in the C. R. formula is the provisional Government. In suggesting this Mr. Rajagopalacharia obviously overlooked two difficulties. The first thing he overlooked is that once the provisional Government was established, the promises of the contracting parties, to use legal phraseology, did not remain concurrent promises.

The case became one of an executed promise against an executory promise. By consenting to the provisional Government the League would have executed its promise to help the Congress to win independence. But the promise of the Congress to bring about Pakistan would remain executory. Mr. Jinnah who insists, and quite rightly, that the promises should be concurrent could never be expected to agree to place himself in such a position.

“The second difficulty which Mr. Rajagopalacharia has overlooked is what

would happen if the provisional Government failed to give effect to the Hindu part of the agreement. Who is to enforce it? The provisional Government is to be a sovereign Government not subject to any superior authority. If it was unwilling to give effect to the agreement, the only sanction open to the Muslims would be rebellion. To make the provisional Government, the agency for forging a new constitution, for bringing about Pakistan, nobody will accept. It is a snare and not a solution. The only way for bringing about constitutional changes will be through an act of Parliament embodying provisions agreed upon by the important elements in the national life of British India. There is no other way.

"There is a third fault in the C. R. formula. It relates to the provision for a treaty between Pakistan and Hindustan to safeguard what are called matters of common interest, such as defence, foreign affairs, customs, etc. Here again, Mr. Rajagopalacharia does not seem to be aware of obvious difficulties. How are matters of common interest to be safeguarded? There are only two ways. One is to have a Central Government vested with executive and legislative authority

in respect of these matters. This means Pakistan and Hindustan will not be sovereign states. Will Mr. Jinnah agree to this? Obviously he does not. The other way is to make Pakistan and Hindustan sovereign states and to bind them by a treaty relating to matters of common interest. But, what is there to ensure that the terms of the treaty will be observed? As a sovereign state, Pakistan can always repudiate the treaty."

AND AFTER THE RELEASE OF CONGRESS HIGH COMMAND

Gandhi-Jinnah talks having failed, the saner section in the public life of India hoped that the Congress Working Committee members, once they are out of jail, would adopt a more realistic attitude towards Indian politics and take a bold and reasonable step for effecting a compromise with the Muslim League. Perhaps they thought that three years of calm and careful study of the Indian political situation, and the indisputable growing strength of the League, as evidenced by the by-elections held from time to time in different parts of the sub-continent, would make them realise, how united and determined the Mussalmans are in their national demand of Pakistan, and that they can

no longer be coerced or by-passed. But, this turned out to be a wishful thinking and all hopes in this direction were smashed, when on the eve of Wavell proposals the Congress Working Committee members were once again free to give unrestrained expression, to what was in their minds. Neither the appalling misery of the masses, nor international situation, and least of all an early freedom of India, would make them feel the need of Congress-League settlement, and join hands with the Muslim League to bind the British hands. Even before the Simla Conference, the fallacious national character of the Congress was advertised and instead of Mr. Gandhi—the acknowledged leader of the Congress, the puppet President, who bears a Muslim name, was sent as the chief Congress delegate. The only lesson they got out of open rebellion movement was that they could not at the same time fight on two fronts—the Muslim front and the British front. They decided the policy of one at one time, and decided to concentrate their forces at the Muslim front for the time being. Before and during the Simla Conference, they humoured the Viceroy and assured themselves that the Muslim League would never accept the snare of Wavell proposal, since it implied the betrayal of fundamentals and prin-

ciples upon which the League stood, they throwing all their principles overboard offered to join the Executive Council if only the Muslim quislings could be installed in the gaddi by their side. On the eve of the Conference the Congress was busy playing petty Muslim organisations against the League and Maulana Azad invited almost every Mussalman who once in his life may have abused the Muslim League and Qaid-e-Azam, thus making a show of their names in the Hindu press. Could there be a greater mockery of decency than this? Such tactics only ridicule these nationalist Muslims, who know their real worth and status. Under the farcical leadership of Maulana Azad, the Congress rejected outright to concede the legitimate right of the Muslim League to nominate for all the Muslim seats. They strived, hoped and as afterwards out of despair said, that even Lord Wavell had promised that in the event of League staying out, the British Government would still implement the plan. They did not realise the impossibility and absurdity of the position, that even if Lord Wavell had wished so, he could not ignore the Muslim League and by-pass 100 million Mussalmans of India. What was the result? British gave a direct slap at the Congress face and also did not acknowledge the

League claim, when in the proposed list, of Executive Councillors, which Viceroy showed to Mr. Jinnah, he did not include a single Congressite Mussalman and instead put in the name of a Punjabi Unionist—the pet creature of British bureaucracy in India. Muslim League refused to accept this position, but the Congress silently swallowed this humiliating defeat and harped on its character of being representative of all the Indian people!

Thus the obstinacy of the Congress strengthened the hands of the British Imperialism, and made the failure of Simla Conference inevitable. Even this did not open the Congress eyes, and they intensified their base campaign of vilifying and misrepresenting the League. To cite only top three, Mr. Rajagopalacharia was exasperated at the failure of Congress machinations and said, "the League veto should not have been allowed to wreck the Simla Conference." Acharya J. Kripalani, General Secretary of the Congress, repeated that shameless lie that "Muslim League is the pet of the British Imperialism;" and Pandit Jawahar Lal Nehru strongly pleaded for the abolition of separate electorates, called the Muslims "an alien element in the country," and described the League-

Congress struggle as a "clash between mediaevalism and modernism."

The Congress junta repeated the oft-repeated sentence that the presence of the third party hinders the Hindu-Muslim settlement—the camouflage to cover the Hindu Congress ulterior designs. This shows the lack of character and want of confidence in their own ability to solve the Hindu-Muslim problem. It can be interpreted only in two ways. Either you consider the Mussalmans as opportunist and dishonest people, or you yourself are thoroughly fraudulent and cheat.

At the top of all this the Congress has floated new schemes for disrupting and disintegrating the Muslim unity. The black market money of the Congress patrons has been recklessly spent on black purposes of purchasing the black sheep from amongst the Mussalmans, in the recent elections and corrupting the Indian political life. Then the Congress threw all its principles to winds in the disgraceful drama of ministry making in the Muslim majority provinces of Sind and Punjab. In Sind the Congress throat was actually cut in an unsuccessful attempt to smite the Muslim League nose, while in the Punjab they accepted Sir Khizar

Hayat as their leader about whose party only a day before the announcement of the Coalition, Pandit Jawahar Lal had said, "Unionist Party is the ally of British Imperialism" and whom the Congress leaders always described as "gang of murderers and exploiters in the Punjab". It is indeed a thousand pities that the phenomenal cent. per cent. success of the Muslim League in the Central Assembly elections and unprecedented success of the League candidates in the provincial elections has not proved sufficient to hammer into the Congress heads that the Muslim League is, unquestionably, the only authoritative and representative organisation of the Mussalmans of India.

AN APPEAL

But, if these are the true reflections of the Congress mind, the British need not bother about their immediate future in India. Do not the Congress realise that by pursuing this reckless policy, they are really thwarting the aspirations of the peoples of India and blocking the way to liberty and independence? Let them know that the flattery of the present Labour Government will land them nowhere, and the British will only play the role of a monkey.

which dispensed justice to the two cats. Is it too much to expect of the Congress leaders to rise to the occasion and honestly face the facts as they are? Would they never stop this kite flying, especially when the game has been almost played out? The Congress leaders should clearly understand that all along they were running after a thing which is non-existent and can never be achieved. Their case is analogous to that of a blind man, who was groping in the dark for a black cat, which was not there.

The Congress should seriously consider whether its blind and opportunist policy has not practically created a state of civil war in India. People have followed the path of opportunism, and it leads them to chaos, wars, destruction and misery. The law of righteousness is the law of life, and nature does not spare those who violate this fundamental law of nature. Establishment of Pakistan is a certainty; it is open to Hindus and the Congress to win its friendship, sympathies and gratitude, or to make it a hostile state having bitter memories of the past. If the Congress concedes this legitimate and just demand of the Muslim nation with grace and friendly spirit the Hindustan state will have a permanent ally in the neighbourly Pakistan, otherwise the

strife between the two states would continue for years to come. The alternatives are before them, and let them make their choice after unbiased and mature deliberations. It is not misleading the people by indulging in an international clap-trap by talking of a federation, when all the states of the world are stabilising and strengthening their respective positions. If this dream is at all to be realised, it will be a federation of fully independent sovereign states, and not of oppressed people and semi-subjugated states. Let the Hindustan and Pakistan achieve full independence, first, establish their authority, develop their resources, and stabilise their prestige and position in the International politics, and then they will have enough time to think of joining a World Federation. I appeal to them in the name of justice, fairplay and India's freedom not to confuse the already complicated situation, and act hesitantly and boldly to solve the Pakistan issue, in the following words of Chowdhry Khwaja Zamam:—

"In the history of Hindu-Muslim relations during the British rule in India I find to my great regret that Congress sooner or later accepted the demands of Muslim India, only when the British

Government had conceded them. The demand of the Muslims for the separate electorates in 1906 was conceded by the British Government in 1909 and was accepted by the Congress only in 1916, when Mr. Jinnah was the President of the League. Similarly the partition of Sind was vehemently opposed by the Congress, but when the British Government carved it out from Bombay and made it a province in India, the Congress President ran up there to establish a Congress Government there by accepting *fait accompli*. In the case of Communal Award also, when all the golden opportunities offered during the Second Round Table Conference had been missed, the Congress in 1934 by a resolution passed at Bombay decided neither to accept nor to reject the Communal Award, thus conceding everything on which much energy and breath had been wasted in the past years. As regards Pakistan, it was said that the demand was not understood by the Congress friends, but when the British statesmen, 6,000 miles away, not only understood the import of our demand, but also half-heartedly tried to meet it in the Cripps proposals, the Working Committee of the Indian National Congress by its resolution of April 2, 1942, with heavy heart seemed

to have blundered into accepting it ; but soon went back on it.

" Will the value of the political importance of Muslim India always be measured by Congress friends in terms of British weights ? Is it never to happen in the history of our relations that at least once the Congress would break through this hell, take time by the forelock, outwit the British, concede Pakistan downright in terms of the Muslim demand, end the conflict, and open the gates of independence for us all ? That answer has to come."

A WAY OUT

Taking stock of the political situation in the country, and Hindu-Muslim problem as it stands, one thing is unmistakably clear, and that is that the Hindus and Muslims are divided into two opposite camps. The Congress may or may not agree that Hindus and Muslims constitute two separate nations, but if it does not totally blind itself to the current of events and conditions prevailing in this sub-continent, it cannot possibly deny that the Mussalmans have asserted themselves as a separate entity from the Hindus and other peoples. The Congress may even challenge the claim of the All-India Muslim League, to represent all the Mussalmans of India, and be their only authoritative and representative organisation, still the Congress leaders admit that only a handful of Muslims are in the Congress, and the rest of them (for practical purposes all the Muslims) are outside the fold of the Congress nationalism, and as far as Hindus are concerned, they form a distinct and separate party. Similarly the Hindus, whether they are

Congressites, Sabhaites, Liberals, or in any other group, are solidly opposed to the Pakistan demand and form a compact and solid opposition. In this position, the Mussalmans of Muslim majority and Muslim minority provinces are united in their advocacy of the Muslim demand, and Hindus of majority and minority provinces are united in its opposition. It is with this undeniable and obvious classification, that the Muslims are in one camp, and the Hindus in the opposite, that a solution to end the deadlock and decide the Pakistan issue, thus bringing India very near her cherished goal of independence, may be found. It is the only realistic way to approach the much controversial problem in a simple way. I venture to suggest a formula on the above basis, which if accepted with any agreed amendments and necessary details by the two principal political parties, viz., Congress and the Muslim League, will end the most unhappy controversy. If the feud is not to be kept at white heat for many more years to come the Congress and the Muslim League will have to come to such sort of mutual understanding, at an early date. Before presenting the formula I must warn the Indian leaders that the will to find a solution and determination to end the stalemate is far important than the formula itself.

It is sincerity and not dexterity that pays in the long run. Where there's a will there's a way. Here is the formula—

Having considered the political situation in the country, and with a view to bring complete independence at the earliest possible date, the Congress and the Muslim League agree to the following procedure, and ask His Majesty's Government to implement the proposals set out below, and proceed on the following lines, so that a constitution for free India acceptable to all the peoples inhabiting this sub-continent may be evolved.—

(a) Two Representative Assemblies, one of the Hindus of whole of India and the other of the Mussalmans of whole of India, will be convened. The two Assemblies will be autonomous and free from any outside interference or pressure in their deliberations, except in so far that the Hindu Representative Assembly will be bound to accept the decision of the Muslim Representative Assembly in the following matters :

(i) That the Mussalmans constitute a separate nation from the Hindus.

(ii) Whether there are to be completely independent states of Pakistan and Hindustan ; or a loose federation ; or an Indian Union.

(b) If the decision of the Muslim Representative Assembly is in favour of separation, the two Assemblies will proceed to elect their respective delegates to form a boundary commission, for the purpose of demarcating geographically contiguous areas in the north-west and east of India, where the Mussalmans form a majority nation. All disputes relating to the boundaries of the states of Pakistan and Hindustan will be decided according to well-established rules of Public International Law, and precedents from other independent states.

(c) Likewise the two Assemblies will elect their respective representatives, who will draft effective, adequate and mandatory safeguards, to be included in the respective constitutions of the two states, for the protection of religious, cultural, administrative, political, economic and other rights of the minorities in their respective zones. Any exchange of population or inter-migration, so far as practicable, will also be decided, as also any other matters which are brought forth.

(d) Representatives of scheduled castes and Sikhs will take part in the deliberations mentioned under heads (b) and (c), and their voice will carry due weight and consideration.

(d) The decisions arrived at under (b) and (c) will be ratified by the two Representative Assemblies.

(e) After the said ratification, the Representative Assemblies will be dissolved, and the Pakistan and Hindustan areas will proceed to elect their respective constitution-making bodies, in the light of decisions taken by the Representative Assemblies.

(f) The sovereign and independent states of Pakistan and Hindustan will enter into mutual treaties concerning Defence, Commerce, Communications and other essential purposes. Likewise, they would negotiate treaties separately and jointly in case of inter-related issues arising out of separation from the British, with the British Government and other states of the world.

The above formula gives just bare outlines. Many procedural and other matters will be discussed and settled by the leaders.

of all, they will have to select the method for election to the Representative Assemblies. For this purpose, to save time and energy they might agree that the newly-elect Muslim members of the Provincial Legislatures and Central Legislature may constitute the Muslim Representative Assembly ; and likewise the Hindu members may constitute the Hindu Representative Assembly. Or, the members to the Representative Assemblies may be sent by the Muslim members and Hindu members, respectively, of the Provincial Legislatures and Central Legislature through the system of proportional representation.

Next, it would require great skill and sincerity to solve the problem of small minorities, e.g., Sikhs in the Punjab. If both the Muslims and the Sikhs act sincerely and in a spirit of mutual co-operation, there is no complexity or difficulty in the matter, which is essentially a local matter in the Pakistan zones. Liberal safeguards should satisfy the Sikhs, who are as much sons of the soil of Pakistan as the Muslims. Being important and gallant citizens of the Pakistan state, they will no doubt gain great national importance and advance in cultural, commercial, agricultural and other matters. The demand of "Khalistan", as it comes from a

certain section of the Sikh leadership will not only be ruinous to the Sikhs themselves, but also is wholly untenable and impracticable. The Sikhs are not in majority in any district of the Punjab and do not form a majority nation in any compact area. The right of self-determination necessarily belongs to a national group, having distinct majority in a specified area, and not to a sub-national group, which does not command majority in any defined area of the earth. It is in Sikh interests and they would do well to align themselves with the Muslims and make common cause with the Muslim League for Pakistan, whose citizens they are.

I have been at a loss to understand why the question of exchange of population is not freely discussed. For free and living nations it is not befitting to be so deeply earth-rooted, as the Indians are being represented to be. I think, the exchange of population should form an integral part of the settlement of Hindu-Muslim problem. By this, I do not mean that the whole Muslim population of Hindustan should migrate to Pakistan, and all the Hindus should migrate to Hindustan, but at the time of demarcation of geographically contiguous units, it would make the matters very easy, if some sort of exchange

of population to a reasonable and practicable extent could be arranged. Also the minority problems in the two states would become easy, if the respective minorities could manage to assemble in contiguous areas within their respective states.

Lastly, the status of Indian states in a free India will have to be decided. There has come a suggestion from a certain quarter that their relations with the Paramount Power, i.e., Britain, should be transferred to the Governments of Pakistan and Hindustan, which would take charge of the affairs of the states in their respective zones.

APPENDIX

The book was in the press, when in Delhi, on April 7, 8 and 9 the historical and august Convention of all the Muslim League Legislators of India was held. The main resolution adopted and the speeches delivered in the Convention go a great length to give a clear exposition of the League policy and demand. The resolution and some portions of the Qaid-e-Azam's opening speech are therefore added in the form of an appendix.

1. THE DELHI RESOLUTION

Whereas, in this vast sub-continent of India a hundred million Muslims are the adherents of a faith which regulates every department of their life (educational, social, economic and political), whose code is not confined merely to spiritual doctrines and tenets or rituals and ceremonies and which stands in sharp contrast to the exclusive nature of Hindu Dharma and Philosophy which has fostered and maintained for thousands of years a rigid Caste System resulting in the degradation of 60 million human beings to the position of untouchables, creation of unnatural barriers between man and man and superimposition of social and economic inequalities on a large body of the people of this country, and which threatens to reduce Muslims, Christians and other minorities to the status of irredeemable helots, socially and economically.

"Whereas, the Hindu Caste System is a direct negation of nationalism, equality, democracy and all the noble ideals that Islam stands for ;

"Whereas, different historical backgrounds, traditions, cultures, social and economic orders of the Hindus and Muslims have made impossible the evolution of a single Indian nation inspired by common aspirations and ideals and whereas after centuries they still remain two distinct major nations ;

"Whereas, soon after the introduction by the British of the policy of setting up political institutions in India on the lines of Western democracies based on majority rule which meant that the majority of one nation or society could impose its will on the majority of the other nation or society in spite of their opposition as was amply demonstrated during the two and a half years' regime of Congress Governments in the Hindu majority provinces under the Government of India Act 1935 when the Muslims were subjected to untold harassment and oppression as a result of which they were convinced of the futility and ineffectiveness of the so-called safeguards provided in the constitution and in the Instrument of Instructions to the Governors and were driven to the inescapable conclusion that in a united Indian Federation, if established, the Muslim even in majority provinces would meet with no better treatment than their rights and interests could never be adequately protected against the prejudiced Hindu majority at the centre.

" Whereas the Muslims are convinced that with a view to save Muslim India from the domination of the Hindus and in order to afford them full scope to develop themselves according to their genius, it is necessary to constitute a sovereign independent State comprising Bengal and Assam in the North-East zone and the Punjab, North-West Frontier Province, Sind and Baluchistan in the North-West zone ;

" This Convention of the Muslim League Legislators of India, Central and Provincial, after careful consideration hereby declares that the Muslim Nation will never submit to any constitution for a united India and will never participate in any single constitution-making machinery set up for the purpose, and that any formula devised by the British Government for transferring power from the British to the peoples of India, which does not conform to the following just and equitable principles, calculated to maintain internal peace and tranquillity in the country, will not contribute to the solution of the Indian problem :

" 1. That the zones comprising Bengal and Assam in the North-East and the Punjab, North-West Frontier Province, Sind and Baluchistan in the North-West of India, namely Pakistan zones, where the Muslims are in a dominant majority, be constituted into a sovereign independent State and that an unequivocal undertaking be given to implement the establishment of Pakistan without delay.

" 2. That two separate constitution making bodies be set up by peoples of Pakistan and Hindustan for the purpose of framing their respective constitutions ;

" 3. That the minorities in Pakistan and Hindustan be provided with safeguards on the lines of the All-India Muslim League Resolution passed on the 23rd March 1940, at Lahore ;

" 4. That the acceptance of the Muslim League demand of Pakistan and its implementation without delay are the 'sine qua non' for the Muslim League co-operation and participation in the formation of an interim Government at the Centre.

" This Convention further emphatically declares that any attempt to impose a constitution on a united India basis or to force any interim arrangement on the Centre contrary to the Muslim League demand will leave the Muslims no alternative but to resist such imposition by all possible means for their survival and national existence."

2. Qaid-e-Azam on Sunday, the 7th April, said

those areas in which the Muslims are predominantly in the majority." He goes on to say: "This would be subject to there being a strong Centre, which would be necessary for the defence of India as a whole." "The Congress," he adds, "would never agree to the idea of there being two nations nor will it recognise nationality based upon religion."

Pandit Jawaharlal Nehru said on the 4th of April that "the way of dealing with the present situation was to see Indian independence clearly recognised and leave the Indians to compose their differences and find a way out without interference. It is always difficult to consider these differences in relation to the presence of a third party which controls the situation... When once it is clearly and definitely realised that India is going to function as an ^{veri.} independent entity and that the people of India of various ^{mus} groups and communities must come to terms or unfortunately fight before they come to terms, then reality comes into the picture." He further goes on to say that he envisages at the first stage after the recognition of independence the creation of a constitution-making body with sovereign authority. In another recent speech he was good enough to offer "diluted Pakistan" under the suzerainty of a strong central Congress Government.

If you reduce this Congress formula it comes to this: that the British Government must first grant independence and hand over the machinery of the Government—both civil and military—to the Congress by way of setting up a national Government of their

conception and stand aside. When they are fully saddled in that power and authority they will proceed to form a constitution-making body with sovereign authority which will finally decide the fate of four hundred millions of people inhabiting this vast sub-continent. Then according to Pandit Nehru the various communities and groups must submit to the decision or fiat and then the reality comes into picture.

FASCIST GRAND COUNCIL

But we have already got the reality in front of us and it is foolish to shut our eyes and imagine that the Congress interim National Government or a decree, the writ and the fiat of the so-called constitution-making body of his conception will command allegiance, respect and obedience. If such a proposal be given effect to, a government of his dream is set up which will not hold for 48 hours. It is inconceivable that a Fascist Grand Council should be vested with full powers immediately to decide and decree the fate and destiny of 100 millions of people: the existing machinery in their hands to be used against 100 millions Mussalmans and other minorities of millions and other interests involved. It seems the Congress do not realize how fantastic this proposal or scheme is, whatever you may call it.

of up to today is only physical. India is held by the British Government and they have, by their ultimate sanction behind them of the police and the army, maintained peace and law and order in this country.

The Congress claim is founded on nationality, which does not exist, except in the eyes of those who merely dream. Our formula is based on the territory of this sub-continent being carved into two sovereign states of Hindustan and Pakistan.

PRINCIPLE OF PAKISTAN

Next, the acceptance of the fundamental principles of Pakistan is 'sine qua non' of the consideration of the question of the Muslim League co-operation in an interim Central Government and further a clear and unequivocal undertaking must be given to implement it without delay. Then alone we can get to the next step.

It follows that the idea of a single constitution-making body has then no place and we shall not accept it for it means our consent to proceed on the basis of a united India which is impossible and we cannot give our consent to such a course. Apart from many other objections, one is quite clear that a single constitution-making body will only register the decree of the Congress and it is a foregone conclusion that Muslims will be in a hopeless minority there.

Two Constitution-making Bodies

On the other hand, according to our formula, there would be two sovereign constitution-making bodies, one for Hindustan and the other for Pakistan and it is the Pakistan constitution-making body which will be in a position to deal with defence or such other matters as may require adjustment, by virtue of contiguity which will naturally arise. But all this can only be done by means of treaties and agreements between Pakistan and Hindustan.

We cannot accept any proposal which would be, in any way, derogatory to the full sovereignty of Pakistan.

We cannot agree to a single constitution-making body, because it will mean our signing our death-warrant as it cannot agree to consider any interim arrangement unless the Pakistan scheme is accepted as a 'sine qua non'.

our blood and money in the midst of war by their declaration of August 1940. It will be the last straw on the camel's back and we shall bear it with courage and determination and resist it by all means if they betray us. God is with us because our cause is righteous and our demand is just to both Hindus and Muslims inhabiting this great sub-continent so we have nothing to fear. Let us march forward with complete unity amongst ourselves as disciplined soldiers of Pakistan.

